Page 1

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| 1 | STATE OF SOUTH CAROLINA) I | N THE COURT OF COMMON PLEAS |
| 2 | COUNTY OF OCONEE) | |
| 3 | | |
| 4 | Russell A. Reynolds,) | |
| 5 | III, Individually, and as) Personal Representative) | |
| 6 | of the Estate of Dorothy) L. Reynolds, Deceased,) | |
| 7 | Plaintiff,) | CIVIL ACTION |
| 8 | vs. | |
| 9 | Sava Senior Care, LLC) | FILE NO. 12-CP-37-163 |
| 10 | <pre>(a/k/a SavaSeniorCare,) LLC; SSC Equity Holdings,)</pre> | |
| 11 | LLC (a/k/a Sava Senior) Care Equity Holdings,) | |
| 12 | LLC); Seneca Operating) Company, LLC (a/k/a SSC) | |
| 13 | Seneca Operating, LLC)) d/b/a Seneca Health and) | |
| 14 | Rehabilitation Center;) Sava Senior Care) | |
| 15 | Administrative Services,) LLC (a/k/a SavaSeniorCare) | |
| 16 | Administrative Services,) LLC and SSC) | |
| 17 | Administrative Services,) LLC); H. Paul Schrank,) | |
| 18 | II; and Carolina) Nutrition Consultants,) | |
| 19 | Inc.,) | |
| 20 | Defendants.) | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 | | EXHIBIT |
| 25 | | EXHIBIT |
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| | Wynn Sims (| | 2/07/2012 Pages 2 |
|----------------------------------|---|----------------------|---|
| 1 | WYNN SIMS Page 2 | 1 | Page 4 FOR THE DEFENDANTS; SENECA OPERATING COMPANY, LLC and H. PAUL SCHRANK, II: |
| 3 | Videotaped deposition of WYNN SIMS, taken | 2 | MS. LORI D. PROCTOR |
| 4 | | 4 | Serpe, Jones, Andrews Callender & Bell, PLCC |
| | on behalf of the Plaintiff, pursuant to the | | Three Allen Center 333 Clay Street, Suite 3485 |
| 5 | stipulations agreed to herein, before Whitney S. | 5 | Houston, Texas 77002 (713) 452-4400 (T) |
| 6 | Guynes, Certified Court Reporter at the offices | 6 | (713) 452-4499 (F) email: ldproctor@proctor-law.com |
| 7 | of Womble, Carlyle, Sandridge & Rice, LLP, 271 | 7 | MR. JAY DAVIS |
| 8 | 17th Street, NW, Suite 2400, Atlanta, Georgia, | 8 | Young, Clement, Rivers, LLP 25 Calhoun Street |
| 9 | on the 7th day of December, 2012, commencing at | 9 | Suite 400 Charleston, SC 29401 |
| 10 | the hour of 2:04 p.m. | 10 | (843) 720-5406 (T) (843) 579-1355 (F) |
| 11 | | 11 | email: jdavis@ycrlaw.com |
| 12 | | 12 | FOR THE DEFENDANT, CAROLINA NUTRITION CONSULTANTS, INC.: |
| 13 | | 13 | MS. ANNE CULBREATH (Via Telephone) |
| 14 | | 14 | Turner, Padget, Graham & Laney, P.A. 200 East Broad Street |
| 15 | | 15 | Suite 250 Greenville, SC 29601 |
| 16 | | 16 | (864) 552-4600 (T) (864) 52-4620 (F) |
| 17 | | 17 | email: aculbreath@turnerpadget.com |
| 18 | | 18 | |
| 19 | | 19 | ALSO PRESENT: MR. DAMON OKORO VIDEOGRAPHER |
| 20 | | 20 | |
| 21 | | 21 | * * * |
| 22 | | 22 | |
| 23 | * * * | 23 | |
| 24 | | 24 | |
| 25 | | 25 | |
| 1 | Page 3 | 1 | DISCLOSURE Page 5 |
| 2 | FOR THE PLAINTIFF: | 2 | |
| 3 | MR. KEN CONNOR (Via Telephone) | 3 | (Pursuant to O.C.G.A. Section 9-11-28(a) and |
| 4 | Connor & Connor, LLC 224 Park Avenue SE | 4 | (d) and Section 15-14-37(a), (b), and (c), I, Whitney |
| 5 | Aiken, SC 29801 (803) 226-0543 (T) | 5 | S. Guynes, Certified Court Reporter, am disclosing on |
| 6 | (800) 480-9175 (F) | 6 | the record that I have no contractual relationship or |
| 7 | MR. RAY PAUL MULLMAN, JR. (Via Telephone) Poliakoff & Associates, P.A. | 7 | agreement with any attorney, party in this case or |
| 8 | 215 Magnolia Street Spartanburg, SC 29306 | 8 | reporting agency from whom a referral might have been |
| 9 | (864) 582-5472 (T) (800) 582-7280 (F) | 9 | made to cover this deposition.) |
| 10 | email: atty@gpoliakoff.com | 10 | • |
| 11 | FOR THE DEFENDANTS, SAVA SENIOR CARE, LLC, SSC HOLDINGS, LLC, and the witness, MS. WYNN SIMS: | 11 | |
| 12 | MR. BENJAMIN R. OGLETREE | 12 | |
| 13 | Proskauer, Rose, LLP 1001 Pennsylvania Avenue, NW | 13 | * * * |
| 14 | Suite 400 South Washington, D.C. 20004-2533 | 14 | |
| | (202) 416-5814 (D) | 14 | |
| 15 | (202) 416-6899 (T) email: bogletree@proskauer.com | | |
| | MS. SANDRA MILLER (Via Telephone) | 16 | |
| 16 | MS. CATHERINE WRENN (Via Telephone) Womble, Carlyle, Sandridge & Rice, LLP | 17 | |
| 17 | rro c | 18 | |
| 17 18 | 550 South Main Street Suite 400 | | |
| 17 18 19 | Suite 400 Greenville, SC 29601 (864) 255-5400 (T) | 19 | |
| 17 18 19 20 | Suite 400 Greenville, SC 29601 | 20 | |
| 17 18 19 20 21 | Suite 400 Greenville, SC 29601 (864) 255-5400 (T) (864) 255-5440 (F) | 20 21 | |
| 17 18 19 20 21 | Suite 400 Greenville, SC 29601 (864) 255-5400 (T) (864) 255-5440 (F) | 20 21 22 | |
| 17 18 19 20 21 22 | Suite 400 Greenville, SC 29601 (864) 255-5400 (T) (864) 255-5440 (F) | 20 21 22 23 | |
| 17 18 19 20 | Suite 400 Greenville, SC 29601 (864) 255-5400 (T) (864) 255-5440 (F) | 20 21 22 | |

Pages 6..9

| | wynn Sins on 12/07/2012 Fag | | | |
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| 1 | INDEX Page 6 | 1 | Page 8 All right. Would the court reporter | |
| 2 | | 2 | please swear the witness? | |
| 3 | WITNESS: WYNN SIMS | 3 | (Witness sworn.) | |
| 4 | | 4 | ,, | |
| 5 | EXAMINATION PAGE | 5 | | |
| 6 | | 6 | | |
| 7 | By Mr. Connor:9 | 7 | | |
| 8 | By Mr. Ogletree: | 8 | | |
| 9 | | 9 | | |
| 10 | | 10 | | |
| 11 | * * * | 11 | | |
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| 25 | | 25 | | |
| 1 | Page 7 STIPULATIONS | 1 | Page 9 WHEREUPON: | |
| 2 | VIDEOGRAPHER: This is the beginning of | 1 2 | WYNN SIMS, | |
| 3 | Disk Number 1 in the deposition of Wynn Sims in | 3 | having been first duly sworn, was examined and | |
| 4 | the matter of Russell A. Reynolds, III, et al | 4 | testified as follows: | |
| 5 | vs. Sava Senior Care, LLC et al, Case | 5 | EXAMINATION | |
| 6 | Number 12-CP-37-163. | 6 | BY MR. CONNOR: | |
| 7 | Today's date is December 7th, 2012, and | 7 | Q Good afternoon, Ms. Sims. My name is Ken | |
| 8 | the time on the monitor is 2:04 p.m. My name is | 8 | Connor. I represent the Plaintiff in this proceeding. | |
| 9 | Damon Okoro. I'm the videographer. The court | 9 | And under the South Carolina Rules of Civil Procedure, | |
| 10 | reporter is Whitney Guynes. We're here with | 10 | I'm obliged to instruct you that in the event you have | |
| 11 | Huseby Court Reporting. | 11 | any questions about the questions I'm asking or if you | |
| 12 | Counsel, please introduce yourselves, | 12 | need any clarification, definitions, explanations of | |
| 13 | after which the reporter will swear in the | 13 | any words, questions or documents that are presented | |
| 14 | witness. | 14 | during the course of the deposition, please address | |
| 15 | MR. OGLETREE: My name is Ben Ogletree. | 15 | those questions to me rather than your own counsel. | |
| 16 | I'm with Proskaur, Rose in Washington, D.C., and | 16 | Do you understand that? | |
| 17 | I'm here on behalf of the witness, Wynn Sims, | 17 | A Yes, sir. | |
| 18 | and I also represent Defendant, Sava Senior | 18 | Q Okay. Thank you very much. | |
| 19 | Care, LLC and SSC Equity Holdings, LLC. | 19 | Would you please state your name for the | |
| 20 | MS. PROCTOR: Lori Proctor on behalf of | 20 | record? | |
| 21 | Seneca Operating Company and the individual | 21 | A Wynn Sims. | |
| 22 | Defendants associated. | 22 | Q And is that spelled, W-Y-N-N? | |
| 23 | MR. CONNOR: Ken Connor on behalf of the | 23 | A Yes, sir. | |
| 24 | Plaintiff. And Ray Mullman is also on the line | 24 | Q Where do you live, Ms. Sims? | |
| 25 | on behalf of the plaintiff, as well. | 25 | A Atlanta, Georgia. | |

Russell A. Reynolds, III, et al. vs. Sava Senior Care, LLC, et al.

| | Russell A. Reynolds, III, et al. Wynn Sims | | |
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| | Page 10 | | Page 12 |
| 1 | Q Okay. By whom are you employed? | 1 | officer and director information, formation dates. |
| 2 | A Sava Senior Care Administrative Services, | 2 | That's the bulk. Things change differently, but |
| 3 | LLC. | 3 | that's mostly what I do on a daily basis. |
| 4 | Q And in what capacity are you employed with | 4 | Q Who is your supervisor, your immediate |
| 5 | that organization? | 5 | supervisor? |
| 6 | A Senior Paralegal. | 6 | A Stefano Miele. |
| 7 | Q How long have you worked for Sava Senior | 7 | Q And has he been your supervisor ever since |
| 8 | Care Administrative Services, LLC? | 8 | you went to work for Sava Administrative Services, |
| 9 | A Since January, 2005. | 9 | ILC? |
| 10 | Q Okay. Have you ever worked for any other | 10 | A Yes, sir. |
| 11 | Sava-related entity? | 11 | Q All right. And you've indicated that you |
| 1.2 | A I've never been employed by any other Sava | 12 | perform work for, I believe you indicated, 240 |
| 13 | entity, no. | 13 | different legal entities; is that correct? |
| 14 | Q Okay. Have you ever been employed by any | 14 | A Approximately, yes. |
| 15 | Mariner-related entity? | 15 | Q Okay. And I'm not going to ask you to |
| 16 | A Yes. I was employed by Mariner Health | 16 | name all those entities, but would they include all of |
| 17 | Care Management Company. | 17 | the operating subsidiaries that operate nursing homes? |
| 18 | Q Okay. And then I assume that after the | 18 | A Yes, sir. |
| 19 | merger you went to work for Sava Administrative | 19 | Q Okay. And what other kinds of entities, |
| 20 | Services. | 20 | besides those, would you perform services for within |
| 21 | A Merger? | 21 | the Sava umbrella? |
| 22 | MR. OGLETREE: Can you be more specific? | 22 | A There are some entities that are limited |
| 23 | BY MR. CONNOR: | 23 | partnerships. They have general partners, so I would |
| 24 | Q Sure. | 24 | prepare the documents for those companies and also |
| 25 | After the merger between Mariner into and | 25 | file their annual registrations with the Secretary of |
| | Page 11 | | Page 13 |
| 1 | with National Senior Care, did you go to work for Sava | 1 | State's Office. If there are any officer changes, |
| 2 | Administrative Services? | 2 | I'll draft those as a board consent. |
| 3 | A Yes, Sava Senior Care Administrative | 3 | Q You perform work for Canyon Sudar |
| 4 | Services. That's correct. | 4 | Partners, LLC? |
| 5 | Q Okay. So would you have gone from a | 5 | A I do not. |
| 6 | Mariner organization to Sava Administrative Services | 6 | Q SVCARE Holdings, LLC? |
| 7 | without any gap in your employment? | 7 | A No, sir. |
| 8 | A That's correct. | 8 | Q Sava Senior Care, LLC? |
| 9 | Q Okay. And what do your duties as Senior | 9 | A Yes. |
| 10 | Paralegal involve, please, for Sava Administrative | 10 | Q SSC Equity Holdings, LLC? |
| 11 | Services? | 11 | A Yes. |
| 12 | A I maintain corporate records for the | 12 | Q Seneca Operating, LLC? |
| 13 | companies that Sava Senior Care Administrative | 13 | A SSC Seneca Operating Company, LLC, yes. |
| 14 | Services, LLC provides back office services for, | 14 | Q Thank you for that clarification. |
| 15 | approximately 240 legal entities. | 15 | Now, and so how many operating |
| 16 | I make sure that the companies are | 16 | subsidiaries do you perform work for? And by that, |
| 17 | maintained in good standing with their state of | 17 | when I say "operating subsidiaries", I'm referring to |
| 18 | formation, any states of qualification. If they have | 18 | entities that operate nursing homes within under |
| 19 | any specific trade name filing requirements, if anyone | 19 | the Sava umbrella? |
| 20 | requires legal documents like a Good Standing | 20 | A Approximately 183, I believe. |
| 21 | Certificate, I will procure those. | 21 | Q Okay. So that's gonna leave roughly 57 |
| 22 | I work on special projects with the | 22 | other entities that you perform work for; is that |
| 23 | general counsel reviewing documents. I assist with | 23 | right? |
| 24 | litigation, if the litigation attorney needs | 24 | A Yes, sir. Those were the GP LLCs that I |
| " | Trongactory in one increased accountry needs | 44 | 12 100, DII. HODE WELE CHE OF HIED CHAL I |

25 assistance. I maintain a corporate database that has

25 was referring to, the general partners of the limited

| r | Wynn Sims | n 1 | |
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| 1 | Page 14 partnership operating companies. | 1 | Page 16 A I don't know. |
| 2 | Q Okay. Now, where are you based? Where do | 2 | Q If they called the main switchboard and |
| 3 | you work out of? | 3 | asked to speak to either you or Mr. Stenger, would the |
| 4 | A One Ravinia Drive, Suite 1500, Atlanta. | 4 | caller be able to be routed to you through that |
| 5 | Q And are does more than one Sava-related | 5 | switchboard? |
| 6 | entity operate out of that same address? | 6 | A Yes, sir. |
| 7 | A No, only Sava Senior Care Administrative | 7 | Q Okay. And did I understand you to say |
| 8 | Services, LLC. | 8 | that SSC Equity Holdings, LLC would receive mail at |
| 9 | Q Okay. Now, are there any other | g [.] | that address? |
| 10 | Sava-related entities that operate out of One Ravinia | 10 | A Yes. |
| 11 | Drive? | 11 | Q Okay. Now, at that address, that is One |
| 12 | A Not that operate, no. | 12 | Ravinia Drive, and did you say the 15th floor? |
| 13 | Q You've qualified it. Are there any other | 13 | A Yes, Suite 1500. |
| 14 | Sava-related entities that are housed, receive mail, | 14 | Q Suite 1500. Does Suite 1500, does that |
| 15 | phone calls or any other kinds of engage in any | 15 | occupy the entire floor? |
| 16 | other kinds of activity at One Ravinia Drive? | 16 | A Yes, sir. |
| 17 | A Yeah, some of the companies that you | 17 | Q Okay. And are there any signs what is |
| 18 | mentioned earlier have a mailing address at that same | 18 | the sign on the outside of the door or the entrance to |
| 19 | One Ravinia Drive address. | 19 | Suite 1500? What does that indicate, if anything? |
| 20 | Q And what would they include? | 20 | A It says, Welcome to Sava Senior Care |
| 21 | A Sava Senior Care, LLC and SSC Equity | 21 | Administrative Services, LLC. |
| 22 | Holdings, LLC. | 22 | Q Okay. And within that suite of offices, |
| 23 | Q And who opens the mail for SSC Equity | 23 | as I understand it, you perform services on behalf of |
| 24 | Holdings, LLC? | 24 | a variety of different entities, correct? |
| 25 | A If something is from a Secretary of | 25 | A Yes. |
| 1 | Page 15 State's office, it would be directed to me. I don't | 1 | Page 17 O You don't move from that office location |
| 2 | know if that company receives other mail, who it would | 2 | to provide any services on behalf of any of the other |
| 3 | be directed to. | 3 | entities, typically, do you, in the course of your |
| 4 | Q Okay. Who receives telephone calls on | 4 | normal |
| 5 | behalf of SSC Equity Holdings, LLC? Who fields | 5 | A No. |
| 6 | telephone calls? | 6 | Q Okay. So for instance, if you do work for |
| 7 | A I don't know that it has a phone number. | 7 | Sava Senior Care Administrative do you have an |
| 8 | If anyone was calling the office at One Ravinia Drive | 8 | office, ma'am, a separate office |
| 9 | it would go through the main switchboard, I would | 9 | A Yes, I do. |
| 10 | think. | 10 | Q within that suite? |
| 11 | Q Okay. Thank you. | 11 | A Yes. |
| 12 | And so what is the number for the main | 12 | Q Okay. And so for instance, when you |
| 13 | switchboard there? | 13 | perform work on behalf of Sava Senior Care |
| 14 | A I think it's (770)829-5100. Sorry, I have | 14 | Administrative Services, LLC, you perform it within |
| 15 | a direct line, so I don't call the switchboard. | 15 | that office? |
| 16 | Q No, I understand, that's fine. | 16 | A Yes, sir. |
| 17 | But is that the number that typically | 17 | Q And would the same be true for anything |
| 18 | would be called in order to be routed to one or the | 18 | that you do on behalf of SSC Equity Holdings, LLC? |
| 19 | other Sava-related entities? | 19 | A Yes. |
| 20 | A I believe so, yes. | 20 | Q And would the same be true for any work |
| 21 | Q Okay. So, for example, if the State of | 21 | that you do on behalf of Seneca Health and |
| 22 | South Carolina was calling and had a question about | 22 | Rehabilitation Center? |
| 23 | the Medicare cost report that had been filed on behalf | 23 | A For the company, yes. |
| 24 | of SSC Equity, LLC, would they typically call the main | 24 | Q The company that |
| 25 | switchboard? | 25 | A For SSC Seneca Operating Company, LLC, |
| 40 | pwrcomogra: | دے | y not one perieca oberacting comband, mpc, |

Pages 18..21

| | wynn Sims (| JII I. | 2/0//2012 Pages 1821 |
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| | Page 18 | | Page 20 |
| 1 | yes. | 1 | Q Just feel free to say you don't know. |
| 2 | Q Okay. And do you perform work, for | 2 | Now, who do you receive a paycheck? |
| 3 | instance, on behalf of SSC Sumpter East Operating | 3 | A I do. Well, a direct deposit. |
| 4 | Company, LLC? | 4 | Q Okay. And what kind of notification or |
| 5 | A Yes, sir. | 5 | memoranda do you receive about that deposit? |
| 6 | Q And whatever work that you perform on its | 6 | A I receive an e-mail pay stub. |
| 7 | behalf, do you do it out of that same office? | 7 | Q Okay. And who do you know who deposits |
| 8 | A Yes, sir. | 8 | those funds directly to your account? |
| 9 | Q Okay. Now, in that within that suite, | 9 | A Sava Senior Care Administrative Services, |
| 10 | are there any kinds of signage that indicate separate | 10 | LLC. |
| 11 | areas for any of the Sava-related entities that we've | 11 | Q Do you know if that's who the dispersing |
| 12 | talked about? | 12 | agent is? |
| 13 | A No. | 13 | A No, the dispersing agent is SSC |
| 14 | Q Okay. So there is simply a sign on the | 14 | Disbursement Company. |
| 15 | outside that says, Welcome to Sava Administrative | 15 | Q Okay. And do you know where the funds are |
| 16 | MR. OGLETREE: Objection. | 16 | on deposit that are deposited into your account? And |
| 17 | MR. CONNOR: Services, LLC? | 17 | when I say where, I'm really referring to the account |
| 18 | MR. OGLETREE: Objection to | 18 | holder. |
| 19 | MR. CONNOR: and nothing further that | 19 | A No. sir. |
| 20 | denominates areas that are devoted to the work | 20 | Q Do you receive a W-2 at the end of the |
| 21 | of any of the other Sava entities; is that | 21 | year? |
| 22 | correct? | 22 | A Yes, sir. |
| 23 | MR. OGLETREE: Withdraw it. | 23 | Q I'm sorry, I couldn't hear you. |
| 24 | THE WITNESS: Yes, that is correct. | 24 | A Oh, I'm sorry. Yes, sir. |
| 25 | BY MR. CONNOR: | 25 | Q And who is identified as your employer on |
| | BI FIG. CONNOR. | 23 | Q And who is identified as your employer on |
| 1 | Page 19 Q Okay. Thank you. | 1 | Page 21 your W-2? |
| 2 | Now, do you have a work e-mail address? | 2 | A Sava Senior Care Administrative Services, |
| 3 | A I do. | 3 | LLC. |
| 4 | Q And what is it, please? | 4 | Q Now, you've indicated that you perform |
| 5 | A Wqsims@savasc.com. | 5 | services for 240 separate legal entities. Do you keep |
| | 5 | 1 | " " |
| 6 | * | 6 | track of your time for the work that you perform on |
| 7 | used for all of the Sava-related entities? | 7 | behalf of any given entity? |
| 8 | A Domain name for people receiving e-mail? | 8 | A No, I do not. |
| 9 | Q Yes. | 9 | MR. OGLETREE: Ken, I'm sorry, just to |
| 10 | A I believe so. | 10 | clarify, are you asking in terms of the work she |
| 11 | Q So, for example, would if an e-mail was | 11 | performs in her role as a paralegal in |
| 12 | sent to somebody that was affiliated with the Seneca | 12 | Administrative Services? Is that the question? |
| 13 | Health and Rehabilitation, would they have that same | 13 | MR. CONNOR: That's right. |
| 14 | domain name as part of their e-mail address? | 14 | MR. OGLETREE: Okay. |
| 15 | A That I do not know 100 percent to answer, | 15 | MR. CONNOR: Does that change your answer |
| 16 | sorry. | 16 | at all? |
| 17 | Q Okay. Do you know whether folks that work | 17 | THE WITNESS: No, sir. |
| 18 | at Sumpter East Health and Rehabilitation Center have | 18 | BY MR. CONNOR: |
| 19 | that same domain name as a component of their work | 19 | Q Okay. Now, are you, in addition to |
| 20 | e-mail address? | 20 | serving as a paralegal at Sava Administrative |
| 21 | MR. OGLETREE: Objection. | 21 | Services, are you an officer or director at any other |
| 22 | THE WITNESS: I'm not sure, I'm sorry. | 22 | Sava-related entity? |
| 23 | BY MR. CONNOR: | 23 | A Yes. |
| 24 | Q If you don't know, that's all right. | 24 | Q Okay. And would you tell us for what |
| | | ۱ | |
| 25 | A Okay. | 25 | entities and what role you serve in for that entity? |

Pages 22..25 Page 22 Page 24 1 I'm the Assistant Corporate Secretary of Senior Care? 2 Sava Senior Care, LLC, and I'm the Corporate Secretary 2 Α I do not, no. for Sava Senior Care Administrative Services, LLC, SSC 0 Are you compensated directly in any way by 3 Equity Holdings, LLC, SSC Seneca Operating Company, Sava Senior Care? 4 LLC, and all of the other operating company LLCs. 5 5 Α Sava Senior Care, LLC, no, I am not. And did I understand that for those 6 Now, in addition to serving -- so, have 6 7 operating companies and including SSC Equity Holdings? 7 you identified -- by identifying your role as Corporate Secretary, have you identified all of the 8 That's correct. That you are the Corporate Secretary? entities for whom you've served as Corporate 9 Q 9 10 Α Yes, sir. 10 Secretary? 11 Now, when you perform any work on behalf 11 The operating company LLCs that are 12 of SSC Equity Holdings -- and just for ease of 12 indirect subsidiaries of Sava Senior Care, LLC, and the SSC Operating GP LLCs that are the general partner 13 discussion, I'm going to drop the LLC designation. 13 But if you have any confusion about what I'm asking of the limited partnerships. 15 about, don't hesitate to ask me. Okay? 15 Okay. And then do you serve in any other 16 16 office other than Corporate Secretary or Assistant 17 When you perform work on behalf of SSC 17 Corporate Secretary for any Sava-related entity? Q Equity Holdings, for example, in your role as 18 Are there -- I don't understand. Are Corporate Secretary, are you paid for those services 19 19 there other companies that I haven't named? Is that by SSC Equity Holdings? 20 20 your question? 21 Α No, sir. 21 Q What I'm really trying to understand is 22 Do you keep track of your time for the 22 did you hold any other office other than Corporate Secretary or Assistant Corporate Secretary for any 23 work that you perform on behalf of SSC Equity 23 24 Holdings? 24 Sava-related entity? 25 No, sir. 25 Oh, sorry. No, sir, I don't. 1 Do you keep track of your time for any of 1 Q All right. Do you serve as a director of 2 the work that you perform in your role as Corporate 2 any Sava-related entity? 3 Secretary for the entities you've identified? 3 No, I do not. Α Or as a member of any Sava-related entity? 4 No. 4 Q 5 Q Okay. Pardon? 5 No, I do not. 6 No, I do not. 6 Okay. Are you a participant in a pension Α 0 7 Okay. And did I understand you to say 7 or profit-sharing plan? that you are the Assistant Corporate Secretary for 8 8 Α No, sir. 9 Sava Senior Care, LLC? 9 Q Are you eligible for participation in any 10 Α That's correct. 10 such kind of plan? 11 0 And what kind of work do you perform on 11 Ά I'm eligible to participate in a 401K behalf of Sava Senior Care, LLC? 12 12 plan. 13 Α I file --13 Okay. And do you participate in a 401K 14 In that role as Corporate Secretary. 14 plan? Yes, sir. I file the annual report form 15 15 Α I do. with the states of Delaware and Georgia. If a 16 All right. And who is the company that 16 17 corporate officer's signature, president, vice 17 provides the employer's share of the contribution? president, et cetera, requires any type of 18 I've never received an employer's share. attestation, I can attest their signature. 19 So in your 401K plan are you the only 19 Q 20 If there are any documents like a Board 20 person who makes contributions to that plan? 21 Consent that requires filing in a minute book, I will 21 Α Yes, sir. do that, and I will assist the general counsel's Do you know who administers that plan? 22 Q 23 office with obtaining signatures on documents. Fidelity Investments. Is that who I get 23 Α 24 Now, when you perform work of that sort, 24 the statements from?

do you keep track of your time on behalf of Sava

25

I will accept that you get it from

| 1 Fidelity, is that correct? 2 A Yes. 3 Q All right. 4 MR. CORNOR: 5 to that question or are you guessing? 6 THE MITNESS: If by administrator it means who has the money and makes the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and makes and the investments, shown has the money and the investments, shown has the answer to that I was a south shown has the money and makes and the | | Wynn Sims o |) N T | |
|--|------|------------------------------------|-------|--|
| 2 Q Let me ask you some questions, 3 that you may have knowledge of by virtue of 6 different hat state you wear in connections, 4 me who has the womey and makes the investments, 5 then Fidelity Investments is who is the answer to that. 9 meser to that. 9 meser to that. 9 meser to that. 10 BY MR. CONNOR: 1 do not the fund? 10 BY MR. CONNOR: 1 do not the fund? 11 BY MR. CONNOR: 1 do not the fund? 12 custodian of the fund? 12 custodian of the fund? 13 A Okay. 14 Q And so we'll accept an amendment to your answer, if that's the case, but do you know if that plan is administered by anyone other than Fidelity? 17 A Not that I'm aware of. 18 Q And just so that I I want to make sure that I understand. Does 100 percent of your compensation comes from Save Administrative Services? 14 A Yes, sir. Q No part of your compensation, as I 22 Q And pust so that I I want to make sure that I understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their behalf, correct? 14 A That's correct. 15 A That's correct. 16 Q And no part of your compensation comes from SSC Equity Holdings, even though you perform services on their behalf, correct? 19 A That's correct. 10 Q Ckay. 11 Thelephone beeps.) 10 Q Ckay. 11 Think when a line at this softice rings in we get an interruption. I'm sorry, I don't know how to avoid that. 18 Office rings in we get an interruption. I'm sorry, I don't know how to avoid that. 19 Q And who are those directors? 10 And compensation come sorpholy of the conference call. That's sorrect 20 And who are the directors? 21 A Yes. 22 And because of the interval of the fundance of th | 1 | Page 26 Fidelity: is that correct? | 1 | Page 28 RY MR CONNOR: |
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| MR. COLETTEE: But do you know the answer to that question or are you guessing? | l | | | - 1 |
| to that question or are you guessing? THE MITNESS: If by administrator it means to who has the morey and makes the investments, then Pidelity Investments is who is the answer to that. BY NR. CONNOR: BY NR. CONNOR: MR. C | 1 | _ | | |
| THE WITNESS: If by administrator it means who has the money and makes the investments, she then pridelity investments is who is the answer to that. | 1 | • | 1 | |
| then Fidelity Investments is who — is the answer to that. Q | i | | 1 | |
| then Fidelity Investments is who is the answer to that. BY MR. CONNOR: Q Usually I think he refer to that as the cotstodian of the fund? A Okay. A Okay. A Okay I'd like to ask you some same and the price of the fund? A Not that I'm aware of. A Not that I'm aware of. A Yes, sir. O No part of your compensation, as I consect of your compensation comes from any Sava Operating subsidiary, even though you perform services on their behalf, correct? A That's correct. A That's c | | | | <u>-</u> |
| 9 Mould you like me to restate? 10 BY MR. CONNOR: 20 Usually I think he refer to that as the 11 Q Usually I think he refer to that as the 12 custodian of the fund? 12 20 May. 13 A Okay. 14 Q And so we'll accept an amendment to your 15 answer, if that's the case, but do you know if that 16 plan is administered by amyone other than Pidelity? 16 Pirst of all, you told us that you wear with various St entities. Okay? 16 Pirst of all, you told us that you wear with various St entities. Okay? 17 A Not that I'm aware of. 18 Q And just so that I I want to make sure 18 Sava Senior Care, LLC? 19 MR. COLETREE: Object. 19 MR. COLETREE: Ob | | | | • |
| 10 BY MR. CONNOR: 11 Q Usually I think he refer to that as the 12 custodian of the fund? 13 A Okay. 14 Q And so we'll accept an amendment to your 15 answer, if that's the case, but do you know if that 16 plan is administered by amyone other than Fidelity? 17 A Not that I'm aware of. 18 Q And just so that I - I want to make sure 19 that I understand. Does 100 percent of your 20 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? 20 And no part of your compensation comes 3 from SSC gulty Holdings, even though you perform 4 services on their behalf, correct? 4 Sava Senior Care, LLC, 2 Q And no part of your compensation comes 4 services on their behalf, correct? 5 A That's correct. 6 Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 9 A Correct. 9 Q And what was Tony's last name? 10 Q Okay. 11 (Telephone beeps.) 12 MR. CONNOR: I don't think so, Ben. 13 that somebody joining us? I've heard the beep several times. 14 MR. CONNOR: I think when a line at this office rings in we get an interruption. I'm sorry, I don't know how to avoid that. 18 MR. CONNOR: I fon't know how to avoid that. 19 MR. CONNOR: I fon't know how to avoid that. 19 MR. CONNOR: I fon't know how to avoid that. 19 MR. CONNOR: I don't think so, Jen. 20 And who are those directors? 21 A Yes. 22 A And who are those directors? 23 A Yes. 24 Correct. 9 Q And who are the directors? 25 A Testification of the proposal compensation of the propos | | • | | _ |
| 11 Q Usually I think he refer to that as the 12 custodian of the fund? 14 Q And so we'll accept an amendment to your 15 answer, if that's the case, but do you know if that 16 plan is administered by anyone other than Fidelity? 16 A Not that I'm aware of. 17 A Not that I'm aware of. 18 Q And just so that I - I want to make sure 18 that I understand. Does 100 percent of your 19 compensation come from Sava Administrative Services? 10 that I understand it, comes from any Sava Operating 21 understand it, comes from any Sava Operating 22 understand it, comes from any Sava Operating 23 subsidiary, even though you perform 25 behalf, correct. 10 A That's correct. 11 A That's correct. 12 Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct? 11 A That's correct. 12 Q And no part of your compensation comes 6 Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 13 That's correct. 14 Sava Senior Care, LLC, and who are the directors? 15 A That's correct. 16 Q And no part of your compensation comes 6 Q And who are the directors? 17 From Sava Senior Care, LLC, even though you perform 8 services on its behalf? 18 A Correct. 19 A Correct. 10 Q Okay. 11 (Telephone beeps.) 12 MR. CORNOR: I don't think so, Ben. 13 That somebody joining us? I've heard the beep several times. 14 MR. CONNOR: I think when a line at this 6 office rings in we get an interruption. I'm 8 sorry, I don't know how to avoid that. 18 MR. CONNOR: I think when a line at this 6 office rings in we get an interruption. I'm 8 sorry, I don't know how to avoid that. 18 MR. CORNOR: I don't think so, Ben. 19 MR. CORNOR: I don't think so, Ben. 20 And who are the directors? 21 A Yes. 22 And who are the directors? 23 A Not that I'm aware of. 24 A Tony Oglesby, Kevin Seramur and 17 Miele. 25 A Sava Senior Care Administrative 18 A Yes. 26 And who are those directors? 27 A Tony Oglesby, Kevin Seramur and 19 Miele. 28 A Sava Senior Care | | | | - |
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| A Okay. Q And so we'll accept an amendment to your say have knowledge by virtual different hats that you wear with various Stematics of that's the case, but do you know if that 15 answer, if that's the case, but do you know if that 16 plan is administered by anyone other than Fidelity? A Not that I'm aware of. Q And just so that I I want to make sure 19 that I understand. Does 100 percent of your compensation come from Sava Administrative Services? A Yes, sir. Q No part of your compensation, as I on you know if that 29 which you perform services on their 25 behalf, correct? A That's correct. Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct. A That's correct. A That's correct. Q And no part of your compensation comes 5 A That's correct. A That's correct. Q And no part of your compensation comes 5 A That's correct. A That's correct. Q And no part of your compensation comes 6 A That's correct. Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? A Correct. Q And who are the directors? A Correct. Q And who are the directors? A Correct. Q And who are the directors? A Correct. Q And who are though you. MR. CORNOR: I don't think so, Ben. MR. CORNOR: I think when a line at this 8 office rings in we get an interruption. I'm 8 sorry, I don't know how to avoid that. MR. CORNOR: I think when a line at this 8 office rings in we get an interruption. I'm 8 sorry, I don't know how to avoid that. MR. CORNOR: I don't think so, Ben. MR. CORNOR: I don't think so. | | • | | |
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| 15 answer, if that's the case, but do you know if that 16 plan is administered by anyone other than Fidelity? 18 Q And just so that I - I want to make sure 18 Q And just so that I - I want to make sure 19 that I understand. Does 100 percent of your 20 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 22 Q Assistant? 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? 24 D And no part of your compensation comes 25 Do you know if there is an entitive 26 Page 27 A That's correct. 25 A That's correct. 26 Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 3 services on their behalf, correct? 4 services on their behalf, correct? 5 A That's correct. 5 A That's correct. 6 Q And no part of your compensation comes 4 services on their behalf? 9 A Correct. 9 Q Okay. 10 Q Okay. 11 (Telephone beeps.) 12 MR. COGLETREE: Is somebody dialing in? Is 18 that somebody joining us? I've heard the beep 18 several times. 18 A CORNOR: I don't think so, Ben. 19 MR. CORNOR: I think when a line at this 19 office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 19 MR. CORNOR: I don't think so, Ben. 10 MR. CORNOR: I think when a line at this 19 office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 10 MR. CORNOR: I don't think so, Ben. 11 MR. CORNOR: I don't think so, Ben. 12 MR. CORNOR: I don't think so avoid that. 13 MR. CORNOR: I don't think so avoid that. 14 A Yes. 15 A Yes, sir. 16 A Tony Oglesby, Kevin Seramur and Miele. 17 A Tony Oglesby, Kevin Seramur and Miele. 18 Grunstein. 19 A A dok has a read directors? 20 A A dok has are the directors? 21 A Yes. 22 A Sava Senior Care Administrative Services? 23 A Yes. 24 C Thank you for that clarification of Care Administrat | | * | | |
| 16 plan is administered by anyone other than Fidelity? 17 A Not that I'm aware of. 18 Q And just so that I I want to make sure 19 that I understand. Does 100 percent of your 20 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? Page 27 2 Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct? A That's correct Q And no part of your compensation comes 5 A That's correct C Q And no part of your compensation comes 6 Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on their behalf, correct? A That's correct Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 9 A Correct. 9 Q And who are the directors? 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 9 A Correct. 9 Q Okay. 10 A Oglesby, O-G-L-E-S-B-Y. 11 Q Okay. 11 Q Okay. 12 MR. COLNOR: I don't think so, Ben. 13 that somebody joining us? I've heard the beep 14 several times. 15 MR. CONNOR: I don't think so, Ben. 16 MR. COLNOR: I think when a line at this 17 office rings in we get an interruption. I'm 18 office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 20 MR. COLNOR: I thought perhaps it was 21 Q And the last three that you gave 22 somebody joining the conference call. That's 23 all. 24 MR. CONNOR: I don't think so. 25 Dand who are the directors of which entity? 26 A Sava Senior Care Administrative 27 A Sava Senior Care Administrative 28 A Sava Senior Care Administrative 29 And the last three that you gave 20 And senior Care Administrative 20 And the last three that you gave 21 A Sava Senior Care Administrative 22 A Sava Senior Care Administrative 23 A Sava Senior Care Administrative 24 A Sava Senior Care Administrative | | | | |
| 17 A Not that I'm aware of. Q And just so that I I want to make sure 19 that I understand. Does 100 percent of your 19 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? 26 Q And no part of your compensation comes 27 from SSC Equity Holdings, even though you perform 28 services on their behalf, correct? 29 A Mot that I'm aware of. 30 Gkay. Does Sava Senior Care, Incorporated? 40 And no part of your compensation comes 41 Sava Senior Care, Incorporated? 42 A Not that I'm aware of. 43 from SSC Equity Holdings, even though you perform 44 services on their behalf, correct? 55 A That's correct. 66 Q And no part of your compensation comes 67 from Sava Senior Care, ILC, even though you perform 68 services on its behalf? 69 A Correct. 60 Q Okay. 60 Q Okay. 61 Q Okay. 61 Q Okay. 61 Q Okay. 61 Q Okay. 62 And what was Tony's last name? 63 Q And what was Tony's last name? 64 Q And what was Tony's last name? 75 Page 27 76 A Tony Oglesby, Murray Forman and Services on its behalf? 77 A Collette: Okay. 78 Q Okay. Thank you. 89 Q And what was Tony's last name? 80 Q Okay. 80 CALETREE: Is somebody dialing in? Is 80 That somebody joining us? I've heard the beep 81 A Yes. 81 A Yes. 82 A Yes. 83 A Yes. 84 A Yes. 85 A Yes. 86 Q And what was Tony's last name? 86 Q And what was Tony's last name? 9 Q And what was Tony's last name? 9 Q And what was Tony's last name? 19 Q Okay. Thank you. 10 A Oglesby, Nevin Seramur and Miele. 11 A Yes. 12 A Yes. 13 A Yes. 14 A Yes. 15 A Yes. 16 A Tony Oglesby, Kevin Seramur and Miele. 17 A That's correct. 18 A Yes. 19 A Yes. 19 A Yes. 20 And let me go back. Oglesby, Ferman are directors of which entity you work of the page | | | | |
| 18 Q And just so that I I want to make sure 19 that I understand. Does 100 percent of your 20 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? 1 A That's correct. 2 Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct? 5 A That's correct. 5 A That's correct. 6 Q And no part of your compensation comes 7 from SSVE Equity Holdings, even though you perform 8 services on their behalf, correct? 5 A That's correct. 6 Q And no part of your compensation comes 9 A Correct. 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 8 services on its behalf? 9 A Correct. 9 Q And who are the directors? 10 Q Okay. 11 (Telephone beeps.) 12 MR. OGLETREE: Object. 13 The William of the compensation comes 14 services on its behalf? 15 A That's correct. 16 Q Okay. 17 A That's correct. 18 Grunstein. 19 Q Okay. 10 A Oglesby, Murray Forman and Grunstein. 10 Q Okay. 11 Q Okay. Thank you. 12 And does Sava Senior Care Administrative. 13 that somebody joining us? I've heard the beep 14 several times. 15 MR. CONNOR: I don't think when a line at this office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 10 MR. COSLETREE: That's okay. I'm sorry 20 A Sava Senior Care, LLC. 21 Mr. Connor. I just thought perhaps it was 22 Samebody joining the conference call. That's 23 A Yes. 24 D And what was Tony's last name? 25 Do you know if there is an entition of the conference call. That's 26 Q And let me go back. Oglesby, Ferman and MR. CONNOR: I don't know how to avoid that. 25 D And let me go back. Oglesby, Ferman and MR. CONNOR: I don't know how to avoid that. 26 A Sava Senior Care Administrative. 27 A Sava Senior Care Administrative. 28 A Sava Senior Care Administrative. 29 A Sava Senior Care Administrative. 20 A Sava Senior Care Admini | | | | |
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| 20 compensation come from Sava Administrative Services? 21 A Yes, sir. 22 Q No part of your compensation, as I 23 understand it, comes from any Sava Operating 24 subsidiary, even though you perform services on their 25 behalf, correct? 20 And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct? 3 Q And no part of your compensation comes 4 services on their behalf, correct? 4 directors? 5 A That's correct. 6 Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 9 A Correct. 9 Q And who are the directors? 10 Q Okay. 11 (Telephone beeps.) 12 MR. CGLETREE: Is somebody dialing in? Is 13 that somebody joining us? I've heard the beep 14 several times. 15 MR. CONNOR: I don't think so, Ben. 16 MR. CONNOR: I don't think when a line at this 18 office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 10 MR. CGLETREE: That's okay. I'm sorry 21 MR. CCONNOR: I just thought perhaps it was somebody joining the conference call. That's 22 all. 23 A Yes. 24 Q Thank you for that clarification 25 Do you know if there is an entity 25 Do you know if there is an entity 26 Q Okay. Boes Sava Senior Care, Lid. 27 A Not that I'm aware of. 28 A Yes, Sir. 29 A Not that I'm aware of. 30 Q Okay. Does Sava Senior Care, Lid 31 Grunstein. 31 Q Okay. Sir. 4 directors? 4 directors? 5 A Yes, sir. 6 Q And who are the directors? 7 A Tony Oglesby, Murray Porman and 8 services on its behalf? 9 Q And who are those directors? 10 Q Okay. Thank you. 11 Q Okay. Thank you. 12 A Services have directors? 13 Care, Incorporated? 14 A Yes. 15 Q And who are those directors? 16 A Tony Oglesby, Kevin Seramur and 17 Miele. 18 Q And let me go back. Oglesby, Ferminate directors of which entity you 18 A Sava Senior Care Administrative 19 Grunstein are directors of which entity? 21 A Sava Senior Care Administrative 22 A Sava Senior Care Administrative | | | | |
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| Do you know if there is an entity Page 27 A That's correct. Q And no part of your compensation comes 3 from SSC Equity Holdings, even though you perform 4 services on their behalf, correct. 5 A That's correct. 6 Q And no part of your compensation comes 7 from Sava Senior Care, LLC, even though you perform 8 services on its behalf? 9 A Correct. 9 A Correct. 9 Q And who are the directors? 10 Q Okay. 11 (Telephone beeps.) 12 MR. OGLETREE: Is somebody dialing in? Is 13 that somebody joining us? I've heard the beep 14 several times. 15 MR. CONNOR: I don't think so, Ben. 16 MR. CONNOR: I think when a line at this 17 Miele. 18 office rings in we get an interruption. I'm 18 office rings in we get an interruption. I'm 19 sorry, I don't know how to avoid that. 20 MR. OGLETREE: That's okay. I'm sorry 21 Mr. Cornor. I just thought perhaps it was 22 somebody joining the conference call. That's 24 MR. CONNOR: I don't think so. 25 Do you know if there is an entition and entities 2 A Not that I'm aware of. 3 Q Okay. Does Sava Senior Care, LiC 4 directors? 4 directors? 5 A Yes, sir. 6 Q And who are the directors? 7 A Tony Oglesby, Murray Forman and 8 Grunstein. 9 Q And what was Tony's last name? 10 Q Okay. Thank you. 11 Q Okay. Thank you. 12 And does Sava Senior Care Administrative. 13 Services have directors? 14 A Yes. 15 Q And who are those directors? 16 A Tony Oglesby, Kevin Seramur and 17 Miele. 17 Miele. 18 Q And let me go back. Oglesby, Fc Grunstein are directors of which entity you as somebody joining the conference call. That's 22 A Sava Senior Care Administrative. 24 A Sava Senior Care Administrative. | 1 | | | |
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| 2 pronounce that? 3 A It's Kevin, S-B-R-A-W-R. 4 Q And how do you pronounce his last name? 5 A Scraur. 6 Q And who were the other directors of Sava 7 7 Senior Care Administrative Services? 8 A Stefano Miele, M-I-B-L-B. 9 Q Scraur., Mice, and was there one other? 10 A Oglesby, Mr. Oglesby. 11 Q Clay, And dan you tell me who the 6 9 Colay, And and you tell me who the 6 11 Q Clay, And dan you tell me who the 6 12 Q Clay, And and you tell me who the 6 13 A Che director, Murray Forman. 14 Q And who are the officers are of SSC Equity Holdings, LLC has director, 17 17 A A member is who actually owns the memberathp interest in 18 18 member and a director, 18 19 Q I understand. 10 Q And so you're using the term "director" in 29 20 Q And so you're using the term "director" in 29 21 A They're not lit's a separate it's a separate position or it's not one and the same. 22 Q And so you're using the term "director" in 29 23 A They're not lit's a separate it's a separate position or it's not one and the same. 24 A They're not lit's a separate it's a separate position or it's not one and the same. 25 Vahor? 26 A Murray Forman. 27 Q Right. Thank you. 28 That's what I'm trying to establish. 29 A One director of SSC Equity Holdings is 5 20 And so you're using the term "director" in 29 20 And so you're using the term "director" in 29 21 That's what I'm trying to establish. 22 Q And so you who whether or not SYCMER 24 A They're not lit's a separate it's a separate position or it's not one and the same. 25 Separate position or it's not one and the same. 26 A Murray Forman. 27 Q Right. Thank you. 28 Can you tall me who the officers are of the term trying to establish. 29 A One director? 30 A One director. 31 A Done director? 41 A They're not lit's a separate it's a separate position or it's not one and the same. 42 A They're not lit's a separate it's a separate position or it's not one and the same. 43 A Murray Forman. 44 A Dead Sycala State State State State State State State S | 1 | 0 | | , | |
| A It's Kevin, S-R-R-N-M-U-R. Q And how do you promounce his last name? A Scramur. No And who were the other directors of Sava Senior Care Administrative Services? A Stefano Micle, M-1-B-L-R. A More directors? A More director, Murray Forman. D And who is that? A They're not it's a separate it's a separate position or it's not one and the same. That's what I'm trying to establish. A Coay, Yes. A Stefano Micle, M-1-B-L-R. A Rend Stereator, Scott Barterwell is Recutive Vice President of Finance. The Microscott Stefano Micle Microscott Sava Senior Utel me who the officers of Sava Senior Circle Fresident of Pinance. The Microscott Stefano Micle is Recutive Vice President. The Microscott Stefano Micle Microscott Stefano Mi | l l | - | • | _ | |
| 4 Vice President and Chief Administrative Officer, and 5 Page 31 Care Administrative Services? 5 A Scham Nitely, Mr.Te.L.R. 9 Q Seramur, Miele, and was there one other? 10 A Gylesby, Mr. Oglesby. 10 Q Kay. And what about SSC Equity Holdings, 10 Q Kay. And what about SSC Equity Holdings, 10 Q Kay. And what about SSC Equity Holdings, 10 Q Kay. And what about SSC Equity Holdings, 10 Q Kay. And what about SSC Equity Holdings, 10 Q And who are the officers for Sava Senior 13 O And when you identify him as a director, 15 you're making a distinction, I assume, between a member and a director? 16 A A member is | l | • | | | · |
| Semior Care, Administrative Services? Q Okay, And can you tell me who the Semior Care, Administrative Services? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, And can you tell me who the officers are? Q Okay, Thank you. Q Okay Whether Canyon Sudar Partners, Q Okay Okay Thank you. Q Okay Okay Thank you. Q Okay Thank you. Q Okay Thank you. Q Okay Thank you. Q Okay Okay Thank you. Q Okay Thank you. Q Okay Thank you. Q Okay Okay Okay Okay Okay Okay Okay Okay | l | | | Į. | - |
| 6 Q Okay. And can you tell me who the officers are of SSC Equity Holdings, LLC? 8 A Stefano Mitele, while, while Let. 9 Q Seramr, Micle, and was there one other? 10 A Oglesby, Mr. Oglesby. 11 Q Okay. And what about SSC Equity Holdings, 100 Q Roy officers are of SSC Equity Holdings, 100 Q Roy officers are of SSC Equity Holdings. 12 does it have directors? 13 A Ome director, Marray Forman. 14 Q Rad when you identify him as a director, 15 you're waking a distinction, I assume, between a member and a director? 17 A A member is because these are LLCs, the 16 member is who actually comes the membership interest in 17 the entity, so it's not an individual. 16 Q And who are the officers for Sava Senior Care Administrative Services? 17 A A member is because these are LLCs, the 18 member is who actually comes the membership interest in 18 the entity, so it's not an individual. 18 the entity, so it's not an individual. 19 Q And so you're using the term "director" in 19 Contract to member, correct? 20 Q And so you're using the term "director" in 20 Contract to member, correct? 21 A They're not it's not one and the same. 22 Page 31 23 contract to member, correct? 24 A They're not it's a separate it's a separate position or it's not one and the same. 25 Page 31 26 Respect to Relative the top of my head. There may be a few more 18 have directors? 27 You're doing a better job than I can remember with all my grandchildren. Thank you. 28 A Marray Forman. 29 A Oke director of SSC Equity Holdings is who? 30 A Okey. Yes. 31 A Okey. Yes. 32 Okey Thank you. 33 A Okey Yes. 44 A They're not it's not one and the same. 45 Page 31 46 A Marray Forman. 47 A Okey Seneca Operating, LLC have a 18 have directors? 48 A Okey. Yes. 49 A Okey Greating Company, LLC? 40 And do you know whether or not SVANB 41 A Okey. Yes. 41 A Okey. Yes. 41 A Okey. Yes. 42 A They're not it's not one and the same. 45 Page 31 46 A Marray Forman. 46 A Okey. Yes. 47 A The President is Paul Schrank. I'm not sure who the vice President is Paul | l | | • • | 1 | · |
| 7 Senior Care Administrative Services? 8 A Stefano Niele, Mc1-8-16-18. 9 Q Scramur, Miele, and was there one other? 10 A Ogleeby, Mr. Ogleeby. 11 Q Otay. And what about SSC Equity Holdings, 110. 12 A One director, Murray Forman. 13 A One director, Murray Forman. 14 Q And when you identify him as a director, you're making a distinction, I assume, between a member and a director? 16 A member is because these are LLCs, the ember is who actually comes the membership interest in the emtity, so it's not an individual. 19 the entity, so it's not an individual. 20 Q And so you're using the term "director" in contrast to member, correct? 21 A Yes. 22 Q And so you're using the term "director" in contrast to member, correct? 24 A They're not it's a separate it's a separate position or it's not one and the same. 21 Q Right. Thank you. 22 That's what I'm trying to establish. 23 A Okay, Yes. 4 Q So the director of SSC Equity Roldings is 5 who? 4 A Murray Forman. 5 A Okay, Yes. 6 A Murray Forman. 6 A Murray Forman. 7 Q And does Seneca Operating, LLC have a have directors? 8 A Peaul Schrank, S-C-H-R-A-N-K. 10 Q And who is that? 8 A Peaul Schrank, S-C-H-R-A-N-K. 11 A Peaul Schrank, S-C-H-R-A-N-K. 12 Q Thank you. 13 Do you know whether or not SWCARE 14 Holdings, LLC has directors? 15 A No, ith. 16 Do you know whether Canyon Sudar Partners, 12 Q Okay. Thank you. 21 Q Okay. Thank you. 22 Can you tell me who the officers are? 23 A No, it. 24 A No, it. 25 Can you tell me who the officers of Sava Senior 26 A No, it has directors? 27 A No do you know whether Canyon Sudar Partners, 16 A Round Scance Operating Congany, LLC 21 Can you tell me who the officers are? 22 A No, ou don't know? 23 Q Okay. Thank you. 24 Can you tell me who the officers of Sava Senior Can, you tell me who the officers are? 26 A No, it. 27 Can you don't know? 28 A No, it. 29 Can you tell me who the officers of Sava Senior Vice President. I den't know who Vice President of Pirance. Term the Secretary. 29 Cay ou don't know? 20 Q Okay. Thank you. 21 Q | 1 | | | | - |
| A Stefano Miele, M-I-B-I-B. Q Scraury, Miele, and was there one other? 10 A Gylesby, Mr. Oglesby. 11 Q Okay. And what about SSC Equity Holdings, 12 does it have directors? 13 A One director, Murray Forman. 14 Q And shen you identify him as a director, 15 you're making a distinction; I assume, between a 16 member and a director? 17 A A member is because these are LLCs, the 18 member is who actually owns the membership interest in 19 the entity, so it's not an individual. 20 Q I understand. 21 A Yes. 22 Q And so you're using the term 'director' in 23 contrast to member, correct? 24 A They're not it's a separate it's a separate position or it's not one and the same. Page 31 2 Q Right. Thank you. 2 That's what I'm trying to establish. 3 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 5 who? 5 who? 6 A Murray Porman is President. And I am Oxy who have the officers for Sava Senior Care, LLC are? 10 And does Seneca Operating, LLC have a 18 have directors? 11 A new directors? 12 A Paul Schrank, S-C-H-R-A-H-K. 13 A Paul Schrank, S-C-H-R-A-H-K. 14 A Faul Schrank, S-C-H-R-A-H-K. 15 I A I don't know. 16 Q Do you know whether Canyon Sudar Partners, 17 LLC has directors? 18 A No, I do not know. 29 Q No, you don't know? 20 A No, I do not know. 20 Q Okay. Thank you. 21 Canyou tell me who the officers of Sava 22 A 1 don't know. 23 Congary, LLC. 24 A Pes, Tony Oglesby is the President and Rehabilitation Operating Center? 25 President of Operations is, and I'm the Secretary. 26 Q And do you know whether Canyon Sudar Partners, 27 Q And do you know whether Canyon Sudar Partners, 28 A Paul is President. I don't know who Vice President of Operations is, and I'm the Secretary. 29 Q Okay. Thank you. 20 Q Okay. Thank you. 21 A Yes, Tony Oglesby is the President and Rehabilitation Operating Center? 24 A Pes, Tony Oglesby is the President and Rehabilitation Operating Center? 29 A Yes over set foot on the floor of Secretary. 29 Q Okay. Thank you. 20 Q Okay. Thank you. 21 Q Okay. Thank you. 22 A Pes, Tony Oglesby | 1 | ~ | | | |
| 9 Secretary. 10 A Oglesby, Mr. Oglesby. 11 Q Okay. Park what about SSC Equity Holdings, 12 does it have directors? 13 A One director, Murray Forman. 14 Q And when you identify him as a director, 15 you're making a distinction, I assume, between a member and a director is — because these are ILCs, the member is who actually owns the membership interest in 19 the entity, so it's not an individual. 10 Q I understand. 11 A Yes. 12 Q And so you're using the term "director" in 20 Q I understand. 12 A They're not — it's a separate — it's a separate position or — it's not one and the same. 14 Q So the director or SSC Equity Holdings is 5 who? 15 You're not — it's not one and the same. 16 Murray Forman. 17 Q Right. Thank you. 18 A Cokay. Yes. 19 A Company, LLC. 19 And does Seneca Operating, LLC have a — have directors? 10 Q And does Seneca Operating, LLC have a — have directors? 11 A Paul Schrank, S-C-B-R-A-H-K. 12 Q Thank you. 13 Do you know whether Canyon Sudar Partners, 14 I A Company, LLC. 19 A Roy, sir. 19 LLC has directors? 10 Q Roy, you don't know? 21 Q No, you don't know? 22 Can you tell me who the officers are? 23 Senior Care, LLC are? 24 A No, I do not know. 25 Can you tell me who the officers of Sava 28 care and resident of Querating Centery. 26 A No, I do not know. 27 Q Nou 're doing a better job than I can remember with all my grandchildren. Thank you. 28 A Can you tell me who the officers are? 29 A Can you tell me who the officers are? 30 Can you tell me who the officers are? 31 A Company, LLC. 32 Can you don't know? 33 A Company, LLC has directors? 34 A Company, LLC has directors? 35 A Company, LLC has directors? 36 A Roy, sir. 37 A Company, LLC has directors? 38 A Company, LLC has directors? 39 A Company, LLC has directors? 40 A Company, LLC has directors? 41 A Roy, sir. 42 A Roy, sir. 43 A Roy, sir. 44 A Roy. Sir. 45 A Roy Sir. 46 A Roy Sir. 47 A Company, LLC has directors? 48 A Company, LLC has directors? 49 A Roy Sir. 40 A Roy Can you don't know? 40 A Roy Can you don't know whother canyon Sudar Partne | ı | | | | |
| 10 | i i | A | ' | 8 | - |
| 11 Q Ckay. And what about SSC Equity Holdings, 12 does it have directors? 13 A One director, Murray Forman. 14 Q And when you identify him as a director, 15 you're making a distinction, I assume, between a member and a director? 16 A A member is because these are LLCs, the 18 member is who actually owns the membership interest in 19 the entity, so it's not an individual. 16 Q I understand. 17 A Ness. 28 Q I understand. 29 Q I understand. 20 Q And so you're using the term "director" in 29 contrast to member, correct? 20 And so you're not it's a separate it's a separate it's a separate or it's a separate position or it's not one and the same. 29 That's what I'm truying to establish. 20 Q So the director of SSC Equity Holdings is 5 who? 21 A Murray Forman. 22 C And does Seneca Operating, LLC have a have directors? 23 A Okay. Yes. 24 Q And does Seneca Operating, LLC have a have directors? 25 who? 26 A Murray Forman. 27 Q And does Seneca Operating, LLC have a have directors? 28 A They're not it's a contrast to member. I'm not severally in the sene. 29 A One director. 20 And who are the officers for Sava Senior 21 That's what I'm trying to establish. 21 A Skept. 22 C A Schedirector of SSC Equity Holdings is 5 who? 23 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 5 who? 4 A Davity Forman. 5 Who? 5 Q Can you tell me who the officers are of that enterprise? 6 A Murray Forman. 7 Q And does Seneca Operating, LLC have a have directors? 9 A One director. 10 Q And who is that? 11 A Paul Schrank, S-C-H-R-A-N-K. 12 Q Thank you. 13 Do you know whether canyon Sudar Partners, 19 Do you know whether canyon Sudar Partners, 19 Q And do you know who the officers are? 14 A Paul Schrank you. 15 A No, if have a if you den't know? 16 A Paul schrank you. 17 A The President of Operating Company, LLC? 18 A No, sir. 19 Q No, you don't know? 20 A No, you don't know? 21 Q Okay. Thank you. 22 Can you tell me who the officers of Sava Senicr Care, LLC are? 23 Senior Care, LLC are? 24 A Yes, Tony Oglea | 9 | Q | Seramur, Miele, and was there one other? | 9 | Secretary. |
| does it have directors? A One director, Murray Forman. A Tony Oglesby is President. Kevin Seramur is the Chief Financial Officer, Stefano Miele is Executive Vice President. I am Corporate Secretary. A Member is because these are LLCs, the member is who actually owns the membership interest in the entity, so it's not an individual. Breath Separate Position or it's a separate it's a separate position or it's not one and the same. Page 31 Q Right. Thank you. That's what I'm trying to establish. A Cheay. Yes. A Murray Forman. A One director of SSC Equity Holdings is who? A One director. A One director. A Paul Schrank, S-C-H-R-A-N-K. Do you know whether or not SVCARE Holdings, LLC has directors? A No, sit A No, sir. A No, sir. A No, sir. A No, sir. Care Administrative Services? A Tony Oglesby is President. Kevin Seramur is the Chief Financial Officer, Stefano Miele is Executive Vice President. I am Corporate Secretary. Tom Sinons is a Senior Vice President of Finance. Brent Snelgrove is a Senior Vice President of Finance. Brent Snelgrove is A Senior Vice President of Finance. Brent Snelgrove is A Senior Vice President of Finance. Brent Snelgrove is A Senior Vice President of Finance. Brent Snelgrove is A Senior Vice President of Compliance Officer. Chris Stengen. Brent Snelgrove is A Senior Vice President of Compliance Officer. Chris Stengen. Tom Sinons is a Senior Vice President of Finance. Brent Snelgrove is A Senior Vice President of Finance. Tom Sinons is a Senior Vice President of Finance. Tom Sinons is a Senior Vice President of Executive Vice President of Sinance. Tom Sinons is a Senior Vice President of Sinance. Tom Sinons is a Senior Vice President of Compliance Officer. Chris Stengen. Tom Sinons is a Senior Vice President of Compliance Officer. Tom Sinons is a Senior Vice President of Compliance Officer. Tom Sinons is a Senior Vice | 10 | A | Oglesby, Mr. Oglesby. | 10 | Q Any other officers? |
| A One director, Murray Forman. Q And when you identify him as a director, you're making a distinction, I assume, between a member and a director? A A member is because these are LLCs, the member is who actually owns the membership interest in the entity, so it's not an individual. Q I understand. A Yes. Q And so you're using the term "director" in contrast to member, correct? A They're not it's a separate it's a separate position or it's not one and the same. That's what I'm trying to establish. A Kay. Yes. Q So the director of SSC Equity Holdings is who? A Murray Forman. A Paul Schrank, S-C-H-R-A-N-K. D O And who is that? A Paul Schrank, S-C-H-R-A-N-K. C O Thank you. That's who is that? D O Wan, whether or not SVCARE Holdings, LLC has directors? A I don't know. Q D by ou know whether Canyon Sudar Partners, LLC has directors? A No, I do not know. Q O No, you don't know? A No, I do not know. Q O No, you don't know? A Kes, Tony Oglesby is the President and Chief Carpliance officer. Chris Stenger is Vice President and Chief Compliance Officer. Chris Stenger is Vice President and Chief Compliance Officer. Chris Stenger is Vice President and Chief Compliance Officer. Chris Stenger is Vice President and Chief Compliance Officer. Chris Stenger is Vice President and Chief Compliance Officer. Chris Stenger is Vice President Resimbursement. Scott Barterwell is Executive Vice President of Risk Management. This stall I can remember off the top of my head. There may be a few more 25 | 11 | Q | Okay. And what about SSC Equity Holdings, | 11 | A No, that's all. |
| 14 Q And when you identify him as a director, 15 you're making a distinction, I assume, between a 16 member and a director; 17 A A member is because these are LLCs, the 18 member is who actually comes the membership interest in 18 member is who actually comes the membership interest in 19 the entity, so it's not an individual. 20 Q I understand. 21 A Yes. 22 Q And so you're using the term "director" in 22 contrast to member, correct? 23 contrast to member, correct? 24 A They're not it's a separate it's a separate position or it's not one and the same. 25 separate position or it's not one and the same. 26 Q Right. Thank you. 27 That's what I'm trying to establish. 38 A Okay. Yes. 49 Q So the director of SSC Equity Holdings is 40 who? 40 Q So the director. 40 A Murray Forman. 41 A Tony Oglesby is President. Kevin Seramur is the Chief Financial Officer, Chris Steageident, I am Corporate Secretary. 40 J That's not in's steager is Vice President of Finance. 41 President of Risk Management. Scott Earterwell is Executive Vice 42 President of Risk Management. That's all I can 43 Page 31 44 Q So the director of SSC Equity Holdings is 4 who? 45 Who? 46 Q So the director. 47 A Murray Forman. 48 Q And who is that? 49 A One director. 40 Q And who is that? 41 A Paul Schrank, S-C-H-R-A-N-K. 41 Q Thank you. 42 D Thank you. 43 D Oyou know whether or not SVCARE 44 A Paul Schrank, S-C-H-R-A-N-K. 45 D Oyou know whether Canyon Sudar Partners, 19 D Oyou know whether Canyon Sudar Partners, 19 Q No, you don't know? 40 A No, I do not know. 41 A No, I do not know. 42 Q O Kay. Thank you. 43 A No, I do not know. 44 A No, I do not know. 45 A No, I do not know. 46 A No, I do not know. 47 A Paul is President in Revinue President of Pinance. 48 The President of Risk Management. That's all I can 49 Page 31 40 Can you tell me who the officers of Sava 41 A Chear. 41 A Reinbursement. Scott Bartewell is Executive Vice 42 President of Risk Management. That's all I can 43 Can you tell me | 12 | does it hav | e directors? | 12 | Q And who are the officers for Sava Senior |
| 15 you're making a distinction, I assume, between a fember and a director? 7 A A member is because these are LLCs, the member is who actually owns the membership interest in the entity, so it's not an individual. 9 Q I understand. 10 Q And so you're using the term "director" in the same to contrast to member, correct? 11 Q Right. Thank you. 12 Page 31 1 Q Right. Thank you. 15 Yes. 16 A Murray Forman. 17 Q And does Seneca Operating, LLC have a that's what I'm trying to establish. 18 A One director? 19 A One director. 10 Q And who is that? 11 A Paul Schrank, S-C-H-R-A-N-K. 11 A Paul Schrank, S-C-H-R-A-N-K. 12 Do you know whether or not SVCARE 13 A No, sir. 14 A No, sir. 15 Is the Chief Financial Officer, Stefano Miele is Executive Vice President. I am Corporate Secretary. 19 John Cartast Universidate of Finance. 19 Tom Simons is a Senior Vice President and Chief Compliance Officer. Chris Stenger is Vice President. 10 Compliance Officer. Chris Stenger is Vice President. 11 Compliance Officer. Chris Stenger is Vice President. 12 President of Risk Management. That's all I can remember off the top of my head. There may be a few more Q You're doing a better job than I can remember off the top of my head. There may be a few more Q You're doing a better job than I can 10 Q So the director of SSC Equity Holdings is who? 11 LLC 'a A Okay. Yes. 12 Let's talk about SSC Seneca Operating Company, LLC. 23 A The President is Paul Schrank. I'm not sure who the Vice President of Operations is, and I'm the Secretary. 24 A D Farman You. 25 Company. LLC. 26 A No, Sir. 27 A The President is Paul Schrank is the director of that company. 28 A Okay. Thank you. 29 A No, I do not know. 20 A No, I do not know. 21 Q Okay. Thank you. 22 Can you tell me who the officers of Sava 23 Senior Vice President. I am Corporate of Tensident of Pinance. 29 A No, I do not know. 20 A No, I do not know. 21 Q Okay. Thank you. 22 Senior Care. 23 Senior Vice President and Chief Compliance. 24 A Yes, Tony | 13 | A | One director, Murray Forman. | 13 | Care Administrative Services? |
| 16 member and a director? A A member is because these are LLCs, the member is who actually owns the membership interest in the entity, so it's not an individual. 19 | 14 | Q | And when you identify him as a director, | 14 | A Tony Oglesby is President. Kevin Seramur |
| 17 A A member is because these are LLCs, the 18 member is who actually owns the membership interest in 19 the entity, so it's not an individual. 19 Q I understand. 20 Q I and so you're using the term "director" in 22 President of Finance. 21 A Yes. 22 Q And so you're using the term "director" in 23 contrast to member, correct? 23 A They're not it's a separate it's a 24 separate position or it's not one and the same. 25 separate position or it's not one and the same. 26 Page 31 Q Right. Thank you. 27 That's what I'm trying to establish. 3 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 5 who? 5 Who? 6 A Murray Forman. 6 A Murray Forman. 7 Q And does Seneca Operating, LLC have a 4 have directors? 9 A One director. 9 A One director. 10 Q And who is that? 11 A Paul Schrank, S-C-H-R-A-N-K. 12 Do you know whether or not SVCARE 13 A No, sir. 14 Holdings, LLC has directors? 15 A I don't know. 16 Q D Dy ou know whether Canyon Sudar Partners, 16 Q O No, you don't know? 20 A No, I do not know. 21 Q Okay. Thank you. 22 Can you tell me who the officers are? 23 M I have. I've bent here one time. 24 A No, I do not know. 25 Q Mand do you know who the officers are? 26 A No, I do not know. 27 Q Okay. Thank you. 28 A No, I do not know. 29 Q Okay. Thank you. 20 Gan you don't know? 21 Q Okay. Thank you. 22 Can you tell me who the officers are? 23 A I have. I've bent here one time. 24 A Paul is President I don't know who Vice President of Operating Center? 25 Q So the director of SSC Equity Holdings is 5 that enterprise? 26 Company, LLC. 27 A Roll of operating Center? 28 A No, I do not know. 29 A No, I do not know. 20 Q Okay. Thank you. 21 Q Okay. Thank you. 22 Can you tell me who the officers are? 23 A I have. I've ben there one time. 24 A Paul is President of Operating Center? 25 Q Mend do you know who the officers are? 26 Company, LLC? 27 A No president of President of Prisance. 28 Reca Health and Rehabilitation Operating Center? 29 A No, I do not k | 15 | you're maki | ng a distinction, I assume, between a | 15 | is the Chief Financial Officer, Stefano Miele is |
| the entity, so it's not an individual. Q I understand. A Yes. Q And so you're using the term "director" in contrast to member, correct? A They're not it's a separate it's a separate position or it's not one and the same. Page 31 Q Right. Thank you. That's what I'm trying to establish. A CRay. Yes. A Murray Forman. A Murray Forman. A Murray Forman. A O Rad does Seneca Operating, LLC have a A Paul Schrank, S-C-H-R-A-N-K. D Q And who is that? A Paul Schrank, S-C-H-R-A-N-K. Ild Chas directors? A I don't know. Q D byou know whether or not SVCARE A I don't know. Q D No, you don't know. Q D No, you don't know. Q D No, you don't know. Q O No, you don't know. Q O No, J do not know. Q O No, you don't know. Q N | 16 | member and | a director? | 16 | Executive Vice President. I am Corporate Secretary. |
| 19 the entity, so it's not an individual. 20 Q I understand. 21 A Yes. 22 Q And so you're using the term "director" in 23 contrast to member, correct? 23 A They're not it's a separate it's a 24 A They're not it's not one and the same. 25 separate position or it's not one and the same. 26 That's what I'm trying to establish. 27 Q Right. Thank you. 28 That's what I'm trying to establish. 29 A Murray Forman. 20 And does Seneca Operating, LLC have a 8 have directors? 20 A Murray Forman. 21 Q Rod does Seneca Operating, LLC have a 8 have directors? 22 Q And who is that? 23 Do you know whether or not SVCARE 11 Glierctors of Sumpter East Operations is, and I'm the Secretary. 29 Do you know whether or not SVCARE 12 A No. sir. 20 Do you know whether Canyon Sudar Partners, 16 Q No. you don't know. 21 Q No. you don't know. 22 Do No. you don't know? 23 Senior Care, LLC are? 24 A Yes. 25 Senior Care, LLC are? 26 A Yes. 27 A The President of Operations is, and I'm the Secretary. 28 Senior Care, LLC are? 29 Chay. Thank you. 20 Chay. Thank you. 21 Q O Kay. Thank you. 22 Can you tell me who the officers are of that enterprise? 25 Q Can you know who the if there are directors of Sumpter East Operations is, and I'm the Secretary. 29 A I don't know. 29 Do you know whether Canyon Sudar Partners, 16 Q O No. you don't know? 20 O No. you don't know? 21 Q O Kay. Thank you. 22 Can you tell me who the officers are? 24 A No. I do not know. 25 Q Okay. Thank you. 26 A No. I do not know. 27 Q Okay. Thank you. 28 Senior Care, LLC are? 29 Chay. Tony Oglesby is the President and Okay. When was that? 29 President of Operations is, and I'm the Secretary. 20 Okay. Thank you. 21 Q Okay. Thank you. 22 Senior Care, LLC are? 23 A I have. I've been there one time. | 17 | A | A member is because these are LLCs, the | 17 | |
| 20 Q I understand. 21 A Yes. 22 Q And so you're using the term "director" in 22 President of Risk Management. Scott Barterwell is Executive Vice President of Risk Management. That's all I can 23 contrast to member, correct? 24 A They're not it's a separate it's a 24 more 25 separate position or it's not one and the same. Page 31 1 Q Right. Thank you. 2 That's what I'm trying to establish. 3 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 5 who? 5 who? 6 A Murray Forman. 7 Q And does Seneca Operating, ILC have a 8 have directors? 9 A One director. 10 Q And who is that? 11 A Paul Schrank, S-C-H-R-A-N-K. 11 A Paul Schrank, S-C-H-R-A-N-K. 12 Q Thank you. 13 Do you know whether or not SVCARE 14 Holdings, LLC has directors? 15 A I don't know. 16 Q Do you know whether Canyon Sudar Partners, 17 LLC has directors? 18 A No, sir. 19 Q No, you don't know? 20 A No, I do not know. 21 Q Okay. Thank you. 22 Can you tell me who the officers are of that enterprise? 23 Senior Care, LLC are? 24 A I have. I've been there one time. 25 President of Risk Management. That's all I can remember off the top of my head. There may be a few more 25 more 27 more 29 Wou're doing a better job than I can remember off the top of my head. There may be a few more 27 more 29 You're doing a better job than I can remember off the top of my head. There may be a few more 29 Wou're doing a better job than I can remember off the top of my head. There may be a few more 29 Wou're doing a better job than I can remember off the top of my head. There may be a few more 29 Wou're doing a better job than I can remember off the top of my head. There may be a few more 20 Q You're doing a better job than I can remember off the top of my head. There may be a few more 24 The More of the top of my head. There may be a few more 26 Thank you. 2 Can you tell me who the officers are of that enterprise? 3 Company, LLC. 4 A Okay. 5 Q Can you know whothe officers are of that enterprise? 4 A The President of Risk Mana | 18 | member is w | ho actually owns the membership interest in | 18 | Tom Simons is a Senior Vice President of Finance. |
| 20 Q I understand. 21 A Yes. 22 Q And so you're using the term "director" in 22 President of Risk Management. Scott Barterwell is Executive Vice 24 A They're not it's a separate it's a 25 separate position or it's not one and the same. 25 Separate position or it's not one and the same. 26 Page 31 Thank you. 2 That's what I'm trying to establish. 3 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 3 A Okay. Yes. 4 Q So the director of SSC Equity Holdings is 4 Okay. 5 Who? 5 Who? 6 A Murray Forman. 7 Q And does Seneca Operating, LLC have a 8 have directors? 9 A One director. 10 Q And who is that? 11 A Paul Schrank, S-C-H-R-A-N-K. 11 A Paul Schrank, S-C-H-R-A-N-K. 12 Q Thank you. 13 Do you know whether or not SVCARB 14 Holdings, LLC has directors? 15 A I don't know. 16 Q Do you know whether Canyon Sudar Partners, 17 LLC has directors? 18 A No, sir. 19 Q No, you don't know? 20 A No, J do not know. 21 Q Okay. Thank you. 22 Can you tell me who the officers are? 23 Senior Care, LLC are? 24 A I have. I've been there one time. 25 President of Risk Management. Soott Barterwell is Executive Vice 26 President of Risk Management. That's all I can remember off the top of my head. There may be a few more 25 more it's a separate of the top of my head. There may be a few more 27 more 28 more 29 You're doing a better job than I can 27 Page 33 Thank you. 28 Let's talk about SSC Seneca Operating Company, LLC. 4 A Okay. 4 A Okay. 5 Q Can you tell me who the officers are of that enterprise? 5 Q Can you know whother if there are directors of Sumpter East Health And Rehabilitation Center, SSC Sumpter Bast Operating Company, LLC? 3 MR. OGLETREB: Objection. 4 A Paul is President. I don't know who Vice President of Operations is, and I'm the Secretary. 4 A Paul is President. I don't know who the Operation of Secretary. 5 Q Okay. Thank you. 5 President of Operations is, and I'm the Secretary. 6 Q Okay. Thank you. 7 A Paul is President. I don't know who the Operating Center? 7 A I have. I've been | 19 | the entity, | so it's not an individual. | 19 | Brent Snelgrove is a Senior Vice President and Chief |
| 21 A Yes. Q And so you're using the term "director" in 23 contrast to member, correct? A They're not it's a separate it's a 24 more 25 separate position or it's not one and the same. Page 31 Q Right. Thank you. That's what I'm trying to establish. A Okay. Yes. Q So the director of SSC Equity Holdings is 4 More directors? A Murray Forman. Q And does Seneca Operating, LLC have a 8 have directors? A One director. Q And who is that? A Paul Schrank, S-C-H-R-A-N-K. D Oyo know whether or not SVCARE Holdings, LLC has directors? A I don't know. Q D you know whether Canyon Sudar Partners, 12 LLC has directors? A No, yir. LLC has directors? A No, yir. BY MR. COGNERE: Operating is Executive Vice President. That's all I can remember off the top of my head. There may be a few more 20 Vou're doing a better job than I can remember off the top of my head. There may be a few more 20 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 20 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my head. There may be a few more 24 Vou're doing a better job than I can Page 33 remember off the top of my lead. There is few company. LLC and the page 34 Value 24 Page 34 Page 34 Value 25 Page 34 Page 34 Value 26 Value 26 Value 27 Value 28 Value 28 Value 28 Value 29 | 20 | 0 | I understand. | 20 | |
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| 1 | Page 34 | 1 | Page 36 |
| 2 | Q And so I take it you were not there in 2009? | $\begin{vmatrix} 1 \\ 2 \end{vmatrix}$ | A Correct. |
| 3 | A No, sir. | 3 | Q The other was did I understand you to say, SCS? |
| 4 | Q You were not there in 2010? | 4 | A Yes, sir. It's a stylized SCS with like a |
| 5 | A No. | 5 | backward "C" or something. |
| 6 | O Nor '11? | 6 | Q Okay. And were you do you know when |
| 7 | A No, sir. | 7 | - |
| | • | l | those do you know when the Sava Senior Care |
| 8 9 | Q Have you ever set foot on the floor of Sumpter East Health and Rehabilitation Center in | 8 | Administrative Services applied for protection from |
| l | Sumpter, South Carolina? | 9 | the US Patent Office for those marks? Do you know |
| 10 | ± ' | 10 | when they first applied? |
| 11 | MR. OGLETREE: Objection. | 11 | A I believe the application for Sava Senior |
| 12 | THE WITNESS: No, I have not. | 12 | Care was made in 2005, and the SCS was in 2005 and |
| 13 | BY MR. CONNOR: | 13 | 2006, sometime around there, and then the "New Day" |
| 14 | Q Do you know do you recall from your | 14 | logo, I believe, was about three or four years ago. |
| 15 | visit to the Seneca facility what, besides whose | 15 | Q And would you have been involved in filing |
| 16 | name, besides the name of the appeared on the name | 16 | the application for recognition of the marks with the |
| 17 | tags for staff | 17 | patent office? |
| 18 | MR. OGLETREE: Ken, there was a little | 18 | A I was that was assigned to outside |
| 19 | break up there in the questioning. Do you mind | 19 | local counsel and |
| 20 | please repeating the question? | 20 | MR. OGLETREE: Did you hear his question? |
| 21 | MR. CONNOR: I'll be happy to. Thank you. | 21 | Did you do that, was his question. |
| 22 | BY MR. CONNOR: | 22 | THE WITNESS: I instructed or requested |
| 23 | Q Ma'am, other than the name of the staff | 23 | outside counsel to file the applications on |
| 24 | member that appeared on the name tags of staff members | 24 | behalf of Sava Senior Care Administrative |
| 25 | at the Seneca facility when you visited, do you recall | 25 | Services, LLC. |
| 1 | Page 35 if any other name was reflected on the name taq? | _ | Page 37 |
| | | 1 | BY MR. CONNOR: |
| 2 | A I'm sorry, I don't remember. | 2 | |
| 2 | • * | _ | Q Okay. Thank you. |
| | Q Okay. Do you recall whether there is any | 2 | Q Okay. Thank you. Now, do you know whether or not there is a |
| 3 | Q Okay. Do you recall whether there is any signage or whether or not there was any signage at | 2 | Q Okay. Thank you. Now, do you know whether or not there is a license agreement between Sava Care Administrative |
| 3 4 5 | Q Okay. Do you recall whether there is any signage or whether or not there was any signage at that facility that you observed when you visited about | 2 3 4 5 | Q Okay. Thank you. Now, do you know whether or not there is a license agreement between Sava Care Administrative Services and any other Sava-related entity for the use |
| 3 4 5 6 | Q Okay. Do you recall whether there is any signage or whether or not there was any signage at that facility that you observed when you visited about five years ago? | 2 3 4 5 | Q Okay. Thank you. Now, do you know whether or not there is a license agreement between Sava Care Administrative Services and any other Sava-related entity for the use of the mark, Sava Senior Care? |
| 3 4 5 | Q Okay. Do you recall whether there is any signage or whether or not there was any signage at that facility that you observed when you visited about five years ago? A I don't remember. | 2 3 4 5 6 | Q Okay. Thank you. Now, do you know whether or not there is a license agreement between Sava Care Administrative Services and any other Sava-related entity for the use of the mark, Sava Senior Care? A Yes, sir, there is. |
| 3 4 5 6 7 | Q Okay. Do you recall whether there is any signage or whether or not there was any signage at that facility that you observed when you visited about five years ago? A I don't remember. Q Now, does any Sava-related entity, to the | 2 3 4 5 | Q Okay. Thank you. Now, do you know whether or not there is a license agreement between Sava Care Administrative Services and any other Sava-related entity for the use of the mark, Sava Senior Care? A Yes, sir, there is. Q Okay. Tell me about that. What do you |
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|----|--|-----|--|--|--|
| 1 | Page 38 the New Day? | 1 | Page 40 | | |
| 2 | A Yes, sir. | 2 | Do you know do you have any knowledge as to whether or not he performs work on behalf of more than one | | |
| 3 | Q Is there a license agreement that you're | 3 | Sava-related entity? | | |
| 4 | aware of between Sava Senior Care Administrative | 4 | A Not in his capacity as an officer of | | |
| 5 | Services and the operating entity? | 5 | Sava Senior Care, LLC, and of Sava Senior Care | | |
| 6 | A Yes. It's also part of the back office | 6 | Administrative Services, LLC, that's all I that's | | |
| 7 | service agreement. | 7 | all I know. | | |
| 8 | Q Okay. Thank you. | 8 | Q Okay. Do you know from whom he receives a | | |
| 9 | That would be true for each; is that | 9 | paycheck? | | |
| 10 | right? | 10 | A Sava Senior Care Administrative Services. | | |
| 11 | A Yes | 11 | Q And how is it that you know that? | | |
| 12 | Q In other words pardon? | 12 | A That's who he is employed by. | | |
| 13 | A There is one as part of the back office | 13 | Q Have you ever seen his paycheck? | | |
| 14 | agreement, there is an exhibit that says the operating | 14 | A No. | | |
| 15 | company is licensed to use each of the trademarks on | 15 | Q So is that an assumption that you made? | | |
| 16 | the following exhibit, and it includes all three of | 16 | A No, I know that he I know that everyone | | |
| 17 | those marks. | 17 | in the Atlanta office is employed by Sava Senior Care | | |
| 18 | Q Thank you. | 18 | Administrative Services, LLC or Sava Senior Care | | |
| 19 | And do you know whether or not any of | 19 | Consulting, LLC. | | |
| 20 | if there is any agreement between Sava Senior Care, | 20 | Q Who is employed by Sava Senior Care | | |
| 21 | LLC, and Sava Senior Care Administrative Services, | 21 | Consulting Company? | | |
| 22 | LLC, for the use of any of those three marks? | 22 | A The clinical operations regulatory | | |
| 23 | A Not that I'm aware of. | 23 | personnel in the office you want names of people? | | |
| 24 | Q Ma'am, are you in any way involved in any | 24 | Q No, that's fine. Would that be an apt | | |
| 25 | of the handling of cash for any of these facilities? | 25 | description of the category of people or | | |
| | | 23 | | | |
| 1 | Page 39 A No, sir. | 1 | classification of people that would be employed by | | |
| 2 | Q Do you have any involvement with or | 2 | consulting services? | | |
| 3 | participation in the concentration account into which | 3 | A Yes. | | |
| 4 | facility revenues are deposited? | 4 | Q Ma'am, are you involved in any way in | | |
| 5 | A No, I do not. | 5 | either generating or serving as custodian of vendor | | |
| 6 | Q Do you, in your role as Senior | 6 | contracts which would be entered into with a given | | |
| 7 | Paralegal well, let me go back and ask you this. | 7 | operating subsidiary and a provider of services to | | |
| 8 | Did you do you know whether or not Mr. Miele | 8 | those facilities? | | |
| 9 | performed services on behalf of more than one | 9 | A No, I'm not. | | |
| 10 | Sava-related entity? | 10 | Q So that I'm clear on that, for instance, | | |
| 11 | A I don't know. | 11 | if a medical director enters into a contract with | | |
| 12 | Q Well, does he wind up tasking you with | 12 | Seneca Health and Rehabilitation Center or if a food | | |
| 13 | your responsibility? | 13 | vendor provides services to them or a therapy company | | |
| 14 | A No. | 14 | provides services to them, you have nothing to do with | | |
| 15 | MR. OGLETREE: Objection to form. | 15 | that at all; is that right? | | |
| 16 | THE WITNESS: No. | 16 | A That is correct. | | |
| 17 | BY MR. CONNOR: | 17 | Q All right. Do you know where such | | |
| 18 | Q You told me that he's your supervisor. | 18 | contracts would be maintained or kept on file? | | |
| 19 | Who tasks you with your responsibilities that you have | 19 | A I don't have enough knowledge to answer | | |
| 20 | at Sava Senior Care Administrative Services? | 20 | that question. I could guess, but I don't know. | | |
| 21 | A The filings that I do on behalf of the | 21 | Q That's all right. | | |
| 22 | legal entities is just part of my area of expertise. | 22 | A Yeah, I don't know. | | |
| 23 | It's my job. He's not involved in those types of | 23 | Q Okay. | | |
| | | ١., | | | |
| 24 | annual filings at all. | 24 | A I do not maintain them. | | |

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Pages 42..45

| | wynn Shis on 12/0//2012 Pages 42 | | | | |
|--|--|--|--|--|--|
| 1 | Page 42 do you know who the records custodian would be? | 1 | Page 44 A Because we're not in the facility, in | | |
| 2 | A There is a contract paralegal that works | 2 | | | |
| 3 | for Sava Senior Care Administrative Services, LLC | 1 | person, to provide services that would be required to | | |
| 4 | • | 3 | operate a nursing home 24 hours a day. | | |
| 5 | she actually works out of her home in Virginia, and | 4 5 | Q What role, if any, does Sava | | |
| 6 | she reports to Stefano Miele. And then I believe she works directly with the facility on contract-related | 6 | Administrative Services, to your knowledge, play with respect to budgeting for a given operational entity? | | |
| 7 | matters. | 7 | A I'm not aware of any. | | |
| 8 | Q Who would that contract paralegal be | 8 | Q You don't play any role in that regard, is | | |
| 9 | today? | 9 | that fair? | | |
| 10 | A Susan Gray. | 10 | A That's correct. | | |
| 11 | Q G-R-A-Y? | 11 | Q Okay. | | |
| 12 | A Yes. | 12 | MR. OGLETREE: I'm going to withdraw my | | |
| 13 | Q Okay. And do you know where what town | 13 | earlier objection. | | |
| 14 | her home is located in, in Virginia? | 14 | BY MR. CONNOR: | | |
| 15 | A I do not. She's recently moved. | 15 | Q Let me ask you to I'd like to now ask | | |
| 16 | Q What role, if any, do you play with | 16 | you, Ms. Sims, if I may, about an affidavit that has | | |
| 17 | respect to Sava Consulting Services, LLC? | 17 | been filed in this proceeding which indicates that | | |
| 18 | A I'm the secretary. | 18 | it's an affidavit of Wynn G. Sims on behalf of SSC | | |
| 19 | Q And what duties do you perform on its | 19 | Equity Holdings, LLC that's for a Motion to Dismiss. | | |
| 20 | behalf? | 20 | Do you recall executing that affidavit? | | |
| 21 | A The same. I file the annual report with | 21 | A Yes, sir, I do. | | |
| 22 | the Secretary of State's Office and maintain a copy of | 22 | Q Do you have a copy of it available to you? | | |
| 23 | the Certificate of Formation, Limited Liability | 23 | MR. OGLETREE: Not here in front of her, | | |
| 24 | Company Agreement, just | 24 | no. | | |
| 25 | Q And what I'm sorry. I didn't mean to | 25 | MR. CONNOR: Okay. That's all right. | | |
| | | | <u> </u> | | |
| 1 | Page 43 cut you off. | 1 | Page 45 BY MR. CONNOR: | | |
| 2 | A No, that's all right. It doesn't sound | 2 | Q Let me ask you some questions about that | | |
| 3 | like that's about it. | 3 | affidavit, and I'll read to you the pertinent portion | | |
| 4 | Q Okay. And what do you understand Sava | 4 | of it that I want to ask you about. Okay? | | |
| 5 | Consulting Services what do you understand its role | 5 | A Okay. | | |
| 6 | to be vis a vis the operating subsidiary in contrast | 6 | Q Paragraph 3 of that affidavit makes these | | |
| 7 | to the role of Sava Administrative Services? | 7 | statements: It says, "SSC Seneca Operating Company, | | |
| 8 | A There are consulting agreements between | 8 | LLC's sole member is SSC Submaster Holding, LLC, which | | |
| 9 | Sava Senior Care Consulting, LLC and each one of the | 9 | is a Delaware Limited Liability Company." | | |
| 10 | SSC operating companies, and the consulting services | 10 | How is it that you came about that | | |
| 11 | germany provides consulting coveriges with respect to | 11 | information? In other words, how is it that you came | | |
| | company provides consulting services with respect to | | initial mactors in other words, now is it that you came | | |
| 12 | clinical, regulatory issues, more in-the-field type of | 12 | to know that the sole member of SSC Seneca Operating, | | |
| 12 13 | | | - | | |
| 1 | clinical, regulatory issues, more in-the-field type of | 12 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company | | |
| 13 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, | 12 13 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? | | |
| 13 14 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, | 12 13 14 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the | | |
| 13 14 15 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, | 12 13 14 15 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate | | |
| 13 14 15 16 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by | 12 13 14 15 16 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, | | |
| 13 14 15 16 17 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? | 12 13 14 15 16 17 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, "SSC Submaster Holding, LLC's sole member is SSC | | |
| 13 14 15 16 17 18 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? MR. OGLETREE: Objection. | 12 13 14 15 16 17 18 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, | | |
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| 13 14 15 16 17 18 19 20 21 22 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? MR. OGLETREE: Objection. | 12 13 14 15 16 17 18 19 20 21 22 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, "SSC Submaster Holding, LLC's sole member is SSC Equity Holdings, LLC, which is a Delaware Limited Liability Company." Same question, how is it that you've come | | |
| 13 14 15 16 17 18 19 20 21 22 23 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? MR. OGLETREE: Objection. THE WITNESS: I have no idea. I would think so. BY MR. CONNOR: | 12 13 14 15 16 17 18 19 20 21 22 23 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, "SSC Submaster Holding, LLC's sole member is SSC Equity Holdings, LLC, which is a Delaware Limited Liability Company." Same question, how is it that you've come about with knowledge of that information? | | |
| 13 14 15 16 17 18 19 20 21 22 23 24 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? MR. OGLETREE: Objection. THE WITNESS: I have no idea. I would think so. BY MR. CONNOR: Q And what causes you to think that they | 12 13 14 15 16 17 18 19 20 21 22 23 24 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, "SSC Submaster Holding, LLC's sole member is SSC Equity Holdings, LLC, which is a Delaware Limited Liability Company." Same question, how is it that you've come about with knowledge of that information? A From reviewing the Limited Liability | | |
| 13 14 15 16 17 18 19 20 21 22 23 | clinical, regulatory issues, more in-the-field type of consulting services, whereas administrative services, truly back office services like legal and finance, that type of thing. Q Okay. Without the services provided by Sava Administrative Services and Consulting Services, would the facilities be able to operate their day-to-day operations? MR. OGLETREE: Objection. THE WITNESS: I have no idea. I would think so. BY MR. CONNOR: | 12 13 14 15 16 17 18 19 20 21 22 23 | to know that the sole member of SSC Seneca Operating, LLC was SSC Submaster Holding? A It is in the Limited Liability Company Agreement, which is maintained in the corporate records that I maintain, and I've seen a copy of the Membership Certificate, which is also in the book. Q Okay. And then you make the statement, "SSC Submaster Holding, LLC's sole member is SSC Equity Holdings, LLC, which is a Delaware Limited Liability Company." Same question, how is it that you've come about with knowledge of that information? | | |

Pages 46..49

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|----------|---|----------|--|
| 1 | Page 46 Certificate and inputting that into my legal database | 1 | Page 48 reads as follows: Quote, "SSC Equity Holdings, LLC |
| 2 | of companies. | 2 | observes corporate formalities. SSC Equity Holdings, |
| 3 | Q Okay. So is it your understanding then | 3 | LLC maintains its own books and records", close quote. |
| 4 | that SSC Equity Holdings, LLC is an indirect owner of | 4 | Do you recall having sworn to the truth of |
| 5 | SSC Seneca Operating Company, LLC? | 5 | that statement? |
| 6 | A Indirect. That's correct, indirect. | 6 | A Yes, sir. |
| 7 | Q Then as I further read your affidavit, it | 7 | Q Okay. And how does SSC Equity Holdings |
| 8 | indicates, SSC Equity Holdings, LLC's sole member is | 8 | well, strike that. |
| 9 | Sava Senior Care, LLC, which is a Delaware Limited | 9 | Does SSC Equity Holdings have any |
| 10 | Liability Company. | 10 | employees? |
| 11 | And I assume that the basis for that | 11 | A No. |
| 12 | information is the same as you've already described? | 12 | Q Then how does SSC Equity Holdings maintain |
| 13 | A Yes, sir, that's correct. | 13 | its own books and records? |
| 14 | Q All right. And would it be fair to say | 14 | A As the Corporate Secretary, I maintain the |
| 15 | | 15 | 1 |
| 16 | that your understanding is also that Sava Senior Care, LLC is an indirect owner of SSC Submaster I'm | 16 | books and records for the legal entity. |
| 17 | sorry, let me rephrase. Would it be fair to say, | 17 | Q But you're not paid by SSC Equity Holdings, are you? |
| 18 | | 18 | A No. |
| 1 | then, that your understanding is that Sava Senior | | |
| 19 | Care, LLC is an indirect owner of SSC Seneca Operating | 19 | Q Are you paid by Sava Senior Care |
| 20 | Company, LLC? | 20 | Administrative Services, LLC for the services you |
| 21 | A Correct. | 21 | perform on behalf of SSC Equity Holdings? |
| 22 | Q As well as an indirect owner of SSC Equity | 22 | A I believe so. |
| 23 | Holdings, LLC? | 23 | Q And so would it be fair to say that to the |
| 24 | A It's the direct owner of SSC Equity | 24 | best of your knowledge that the activities of SSC |
| 25 | Holdings, LLC. | 25 | Equity Holdings are carried out through Sava Senior |
| | Page 47 | | Page 49 |
| 1 | Q Thank you for making that distinction. | 1 | Care Administrative Services, LLC? |
| 2 | (Phone rings.) | 2 | A What activities? The activities that I |
| 3 | MR. CONNOR: I'm sorry. I'm trying to cut | 3 | perform for the company? |
| 4 | this other phone off. I apologize for that. | 4 | Q Does it perform does SSC Equity |
| 5 | BY MR. CONNOR: | 5 | Holdings perform any activities that you don't |
| 6 | Q All right. Now, in Paragraph 2 of the | 6 | perform? |
| 7 | affidavit about which we spoke, you make the | 7 | A I don't know. It's a holding company. |
| 8 | MR. OGLETREE: Hey, Ken, would you give us | 8 | Q Okay. So do you know if it performs any |
| 9 | just one second? We're having a little | 9 | activities of any kind other than those you perform? |
| 10 | technical difficulty here. | 10 | A Not that I'm aware of. |
| 11 | MR. CONNOR: Of course. | 11 | Q Do you know whether or not it files cost |
| 12 | MR. OGLETREE: I'm sorry. Just a moment, | 12 | reports for the State of South Carolina? |
| 13 | please. Can you hear the microphone now, sir? | 13 | A I believe it assists in the filing of the |
| 14 | VIDEOGRAPHER: (Nods head affirmatively.) | 14 | cost report for SSC Seneca Operating Company. |
| 15 | MR. OGLETREE: Okay. | 15 | Q Do you know what a home office cost report |
| 16 | THE WITNESS: Sorry about that. | 16 | is? |
| 17 | MR. OGLETREE: Okay. We're all set. | 17 | A I think it's the document that you file |
| 18 | MR. CONNOR: Thank you. | 18 | with Medicare/Medicaid to be reimbursed for services. |
| 19 | MR. OGLETREE: Ken, we're ready if you'd | 19 | That's my knowledge of a cost report. |
| 20 | like to ask the question. We're all I think | 20 | Q Do you know whether or not do you know |
| 21 | we've got everything in working order again. | 21 | of your own knowledge whether or not SSC Equity |
| 22 | BY MR. CONNOR: | 22 | Holdings, LLC now files or has ever filed home office |
| | Q Thank you. | 23 | cost reports with the State of South Carolina? |
| 23 | Q man you. | | _ |
| 23 24 | Let me direct your attention to | 24 | A I am aware that SSC Equity Holdings, LLC |
| 1 | • | | _ |

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|--|---|--|--|
| 1 1 | Page 50 | | Page 52 |
| $\begin{vmatrix} 1 \\ 2 \end{vmatrix}$ | knowledge whether it has done that for SSC Seneca | 1 | THE WITNESS: I didn't say anything about |
| | Operating Company, LLC. | 2 | the cost reports and would not be able to answer |
| 3 | Q Ma'am, I'm not asking whether it does it | 3 | any questions about cost reports. |
| 4 | on behalf of SSC Seneca. I'm asking whether or not | 4 | BY MR. CONNOR: |
| 5 | you have any knowledge as to whether or not SSC Equity | 5 | Q So when you would it be fair to say |
| 6 | Holdings has filed cost reports, now or at any other | 6 | that with respect to the averments of your affidavit, |
| 7 | time, in and with the State of South Carolina? | 7 | that they do not take into account the filing of any |
| 8 | A I don't know. | 8 | cost reports with and in the State of South Carolina |
| 9 | Q Do you know who Chris Stenger is? | 9 | by or on behalf of SSC Equity Holdings, LLC? |
| 10 | A I do. | 10 | A That is |
| 11 | Q And who is he? What is his role with Sava | 11 | MR. OGLETREE: Objection. Go ahead. |
| 12 | Senior Care Administrative Services, LLC? | 12 | THE WITNESS: I agree with that, because I |
| 13 | A He is the Vice President of Reimbursement | 13 | have no knowledge of filing of cost reports. |
| 14 | and works in the Houston out of the Houston office. | 14 | BY MR. CONNOR: |
| 15 | Q Are you aware that he has signed cost | 15 | Q Do you know whether or not SSC Equity, LLC |
| 16 | reports under oath, home office cost reports, that | 16 | has ever received a management fee in connection with |
| 17 | were filed on behalf of SSC Equity Holdings, LLC with | 17 | the operation of Seneca Health and Rehabilitation |
| 18 | the State of South Carolina? | 18 | Center? |
| 19 | MR. OGLETREE: Objection. | 19 | A Not that I'm aware of. |
| 20 | THE WITNESS: No, I'm not aware of that. | 20 | Q Does that mean no, that you don't know or |
| 21 | BY MR. CONNOR: | 21 | no, it did not? |
| 22 | Q And are you aware of whether or not he has | 22 | A No, I don't know. |
| 23 | done that while working for Sava Administrative | 23 | Q Okay. Do you know what representations |
| 24 | Services but acting as agent of SSC Equity Holdings, | 24 | made have been made under oath by Mr. Stenger to the |
| 25 | LLC? | 25 | State of South Carolina in that regard? |
| | Page 51 | | Page 53 |
| 1 | A No, sir. I'm not familiar with that. | 1 | A No, I do not. |
| 2 | Q So you didn't have any knowledge let me | 2 | Q So would it be fair to say that when you |
| 3 | ask you to assume that your testimony in this case has | 3 | filed your affidavit that you did not take into |
| 4 | been that Mr. Stenger has, in fact, signed under oath | 4 | account any activities that SSC Equity Holdings, LLC |
| 5 | cost reports, home office cost reports, on behalf of | 5 | may have had with the South Carolina with respect |
| 6 | SSC Equity Holdings, LLC while acting as its agent | 6 | to the filing of home office cost reports? |
| 7 | through Sava Senior Care Services Administrative | 7 | MR. OGLETREE: Objection. |
| 8 | Services just assume that to be the case? | 8 | THE WITNESS: Correct. |
| 9 | A Okay. | 9 | BY MR. CONNOR: |
| 10 | Q Is it my understanding that you had no | 10 | Q Okay. Bear with me just a Ms. Sims, do |
| 11 | knowledge of that when you filed this affidavit | 11 | you know what the term, "wrapper" means as it relates |
| 12 | A That's correct. | 12 | to submissions to the patent office in connection with |
| 1 | | 1 1 2 | |
| 13 | Q in this case? | 13 | applications for trademark or service mark protection? |
| 14 | A Yes, sir, that's correct. | 14 | A No, I do not. |
| 14 15 | A Yes, sir, that's correct. Q You had no knowledge of that? | 14 15 | A No, I do not. Q And tell me, do you know of your own |
| 14 15 16 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. | 14 15 16 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of |
| 14 15 16 17 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost | 14 15 16 17 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection |
| 14 15 16 17 18 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South | 14 15 16 17 18 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? |
| 14 15 16 17 18 19 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? | 14 15 16 17 18 19 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and |
| 14 15 16 17 18 19 20 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? A No, sir. | 14 15 16 17 18 19 20 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and Trademark office was filed, and there would have been |
| 14 15 16 17 18 19 20 21 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? A No, sir. Q Do you think that information would be | 14 15 16 17 18 19 20 21 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and Trademark office was filed, and there would have been an example of how the mark was used, but I don't |
| 14 15 16 17 18 19 20 21 22 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? A No, sir. Q Do you think that information would be important to your understanding of the averments that | 14 15 16 17 18 19 20 21 22 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and Trademark office was filed, and there would have been an example of how the mark was used, but I don't recall what that example was. |
| 14 15 16 17 18 19 20 21 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? A No, sir. Q Do you think that information would be important to your understanding of the averments that you made in your affidavit that you filed under oath | 14 15 16 17 18 19 20 21 22 23 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and Trademark office was filed, and there would have been an example of how the mark was used, but I don't recall what that example was. Q Would you have custody of the materials |
| 14 15 16 17 18 19 20 21 22 | A Yes, sir, that's correct. Q You had no knowledge of that? A No, sir, no knowledge. Q Do you know how many home office cost reports have been filed with and in the State of South Carolina on behalf of SSC Equity Holdings, LLC? A No, sir. Q Do you think that information would be important to your understanding of the averments that | 14 15 16 17 18 19 20 21 22 | A No, I do not. Q And tell me, do you know of your own knowledge what documents were filed by or on behalf of Sava Senior Care Administrative Services in connection with the application for trademark protection? A An application with the Patent and Trademark office was filed, and there would have been an example of how the mark was used, but I don't recall what that example was. |

| | vv ymi Siins v | | 2/0//2012 Fages 343/ |
|--|--|--|--|
| 1 | Page 54 A I have a copy of the actual registration | 1 | Page 56 Operations, but I don't know who the individuals were. |
| 2 | that we received from the Patent and Trademark office. | 2 | Q Would that be true for all of the |
| 3 | Our outside counsel would have retained the actual | 3 | operating entities? |
| 4 | application for us. | 4 | A Yes, sir. |
| 5 | Q And who would that outside counsel have | 5 | Q Okay. So, for instance, Seneca Health and |
| 6 | been? | 6 | Rehabilitation Center, the governing body, would be |
| 7 | A Duane Morris. | 7 | comprised of the Administrator and the VP for |
| 8 | Q With what firm? | 8 | operations? |
| 9 | A That's the name of the firm, Duane Morris. | 9 | A Correct. |
| 10 | I don't recall the attorney. | 10 | Q And would that be the same be true for |
| 11 | Q And do you know where that firm is based? | 11 | Sumpter East Health and Rehab Center in Sumpter, South |
| 12 | A I work with their Atlanta office. | 12 | Carolina? |
| 13 | Q Thank you. | 13 | MR. OGLETREE: Objection. |
| 14 | Now, in connection with your role as | 14 | THE WITNESS: Yes, sir. |
| 15 | Senior Paralegal at Sava Administrative Services or in | 15 | BY MR. CONNOR: |
| 16 | connection with your role as an officer or Assistant | 16 | Q And so is it your position that SSC |
| 17 | Secretary of any of these entities you've identified, | 17 | Sumpter East Operating Center Company I'm sorry, |
| 18 | do you maintain or have custody of minutes of meetings | 18 | let me restate. |
| 19 | of the Board of Directors of the various LLCs that | 19 | Is it your position that SSC Sumpter East |
| 20 | we've discussed? | 20 | Operating Company, LLC actually has a Vice President |
| 21 | A There are consent there are unanimous | 21 | of Operations? |
| 22 | written consents of the Board of Directors. There are | 22 | MR. OGLETREE: Objection. |
| 23 | no minutes of meetings that I'm aware of. | 23 | THE WITNESS: Yes. |
| 24 | Q Unanimous written consent about actions | 24 | BY MR. CONNOR: |
| 25 | taken by the LLC? | 25 | Q And the same would be true for SSC Sumpter |
| | | | |
| | Page 55 | 1 | Page 57 |
| 1 | Page 55 A Correct. Like electing new officers | 1 | Page 57 East Operating Company, LLC? |
| 1 2 | | 1 2 | East Operating Company, LLC? MR. OGLETREE: Objection. |
| 1 | A Correct. Like electing new officers | F . | East Operating Company, LLC? |
| 2 | A Correct. Like electing new officers those are generally the Board Consents maintained in | 2 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think |
| 2 3 | A Correct. Like electing new officers those are generally the Board Consents maintained in the records. | 2 3 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think you asked me about Sumpter East both times. Did |
| 2 3 4 | A Correct. Like electing new officers those are generally the Board Consents maintained in the records. Q You're not actually aware of any meetings ever having occurred of the Board of Directors as such, are you? | 2 3 4 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think |
| 2 3 4 5 | A Correct. Like electing new officers those are generally the Board Consents maintained in the records. Q You're not actually aware of any meetings ever having occurred of the Board of Directors as such, are you? A No, sir. | 2 3 4 5 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think you asked me about Sumpter East both times. Did you mean Seneca? BY MR. CONNOR: |
| 2 3 4 5 6 7 8 | A Correct. Like electing new officers those are generally the Board Consents maintained in the records. Q You're not actually aware of any meetings ever having occurred of the Board of Directors as such, are you? A No, sir. MR. OGLETREE: Objection. I'm sorry, | 2 3 4 5 6 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think you asked me about Sumpter East both times. Did you mean Seneca? BY MR. CONNOR: Q Thank you. I did. |
| 2 3 4 5 6 7 8 | A Correct. Like electing new officers those are generally the Board Consents maintained in the records. Q You're not actually aware of any meetings ever having occurred of the Board of Directors as such, are you? A No, sir. MR. OGLETREE: Objection. I'm sorry, Mr. Connor, which entities are we talking about? | 2 3 4 5 6 7 8 9 | East Operating Company, LLC? MR. OGLETREE: Objection. THE WITNESS: I think that was the company that you asked me about the first time. I think you asked me about Sumpter East both times. Did you mean Seneca? BY MR. CONNOR: Q Thank you. I did. Is it fair to say that you understood that |
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|----------------|---|----------------|--|
| 1 | Page 58 A There is a Regional President and a | 1 | Page 60 those agreements are such that the ones who |
| 2 | Regional Vice President well, no. There is a | 2 | enter into those agreements do covenant with the |
| 3 | Division President and a Regional Vice President. | 3 | federal government to ensure that those |
| 4 | Q Okay. A Division President, is that what | 4 | agreements are respected and carried out at the |
| 5 | I understood you to say? | 5 | facility level. |
| 6 | A Yes, yes. | 6 | - |
| 7 | Q And do you know who do you know who the | 7 | So I would pose my question again, having made that representation to the witness. |
| 8 | person would have been in 2010 for the Sumpter and | 8 | BY MR. CONNOR: |
| 9 | Seneca facility? | 9 | Q Ma'am, do you know whether or not Sava |
| 10 | A Paul Schrank. | 10 | Senior Care, LLC or any Sava-related entity has |
| 11 | Q And who would have been the Regional Vice | 11 | entered into any form of Corporate Integrity Agreement |
| 12 | President for that for the region that had | 12 | with the United States Department of Justice or any of |
| 13 | jurisdiction of those two facilities? | 13 | its agents or any of the agencies of the United |
| 14 | A That I don't know. | 14 | States? |
| 15 | Q Okay. Now, do you know whether or not any | 15 | |
| 16 | Sava-related entity has entered into any kind of | 16 | A No, I'm not aware of any agreement any Corporate Integrity Agreement. |
| 17 | Corporate Integrity Agreement with the U.S. Department | 17 | |
| 18 | of Justice or the folks at | 18 | ~ 3 . |
| 19 | | 19 | to say that you're not the custodian of those |
| 20 | <pre>MR. OGLETREE: Objection. Don't answer that question.</pre> | 20 | agreements? A That's correct. |
| 21 | MR. CONNOR: I'm sorry? | 21 | |
| 22 | MR. OGLETREE: Don't answer that question. | 22 | Q Okay. Ma'am, are you the custodian of any lease agreements that the operating entities have with |
| 23 | Objection. | 23 | the owners of the real property upon which the nursing |
| 24 | MR. CONNOR: May I have the basis would | 24 | |
| 25 | • | 25 | home entities operate? |
| 25 | you state the basis for that objection? | 25 | A I have a copy of the leases. I'm not the |
| 1 | Page 59 MR. OGLETREE: This deposition was limited | 1 | Page 61 custodian of the original documents. |
| 2 | to the personal jurisdiction issues relating to | 2 | Q Okay. Now, how is it that a copy of those |
| 3 | SSC Equity Holdings and to Sava Senior Care, | 3 | agreements come into your custody? |
| 4 | LLC. I don't understand what a Corporate | 4 | A I assist in maintaining a virtual data |
| 5 | Integrity Agreement has to do with that at all. | 5 | room of documents, and the real property leases happen |
| 6 | MR. CONNOR: Well, very simply, if you've | 6 | to be one of the documents that's on that virtual data |
| 7 | ever read the Corporate Integrity Agreements | 7 | in that virtual data room. |
| 8 | that are typically entered into with these | 8 | Q Now, do you have the ability in your role, |
| 9 | entities, you'll know that they often indicate | 9 | if you wish to access information about the |
| 10 | that they'll take certain action at the facility | 10 | deficiencies for which, say, the Seneca facility has |
| 11 | level to see that they're that the employees | 11 | been cited in any given period of time, do you have |
| 12 | there are trained in the terms of the Corporate | 12 | the ability to access that data? |
| 13 | Integrity Agreement, and that they will assure | 13 | A Not personally. I could if somebody |
| 14 | that the provisions of those agreements are | 14 | wanted it, I could ask someone in the regulatory |
| 15 | respected at the facility level, which I would | 15 | office for that, but it is not something that I |
| 16 | suggest they manage or control. And so, Ben, | 16 | personally maintain or have direct access to. |
| 17 | are you familiar with those agreements? Have | 17 | Q And by the regulatory office, then, you're |
| 18 | you read those in the past? | 18 | speaking of someone who would be working for Sava |
| 19 | MR. OGLETREE: I'm not the one being | 19 | Senior Care Consulting Service or Sava Consulting |
| | deposed here today. | 20 | Services? |
| +20 | | | 551.1556. |
| 20 | - | | A Yes, sir, that's correct |
| 21 | MR. CONNOR: Well, I'm simply stating the | 21 | A Yes, sir, that's correct. O And, likewise, do you have any access. |
| 21 22 | MR. CONNOR: Well, I'm simply stating the basis for why I believe this question is | 21 22 | Q And, likewise, do you have any access, |
| 21 22 23 | MR. CONNOR: Well, I'm simply stating the basis for why I believe this question is relevant. You've objected on the grounds of | 21 22 23 | Q And, likewise, do you have any access, either directly or indirectly, for instance, to |
| 21 22 | MR. CONNOR: Well, I'm simply stating the basis for why I believe this question is | 21 22 | Q And, likewise, do you have any access, |

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| 1 | Page 62 | , | Page 64 |
| 1 2 | ulcers, other clinical type of information? A I do not know. | 1 | MR. OGLETREE: Okay. All right. |
| 3 | O You do not or | 3 | THE WITNESS: Not that I have any |
| 4 | A I do not have direct or indirect access to | 1 | recollection, no. BY MR. CONNOR: |
| 5 | that information. | 5 | |
| 6 | | 6 | Q Ma'am, you're not a lawyer, are you? |
| 7 | Q Okay. | 7 | A No, I'm not. |
| 1 | MR. OGLETREE: Let him finish asking the | 8 | Q And tell me, please, what your educational |
| 8 9 | question before THE WITNESS: I'm sorry. | 9 | background is. A I graduated with a BA from Randolph Macon |
| 1 | * | _ | · · |
| 10 | MR. OGLETREE: It's okay. Just let him | 10 | Woman's College in Lynchburg, Virginia, and went to |
| 11 | finish the question. BY MR. CONNOR: | 11 12 | the National Center for Paralegal Training here in |
| 12 | | | Atlanta, finished in the winter, 1986, and have been |
| 13 | Q Do you have custody of or have anything to | 13 | employed as a paralegal since 1986. |
| 14 | do with the policies or procedures that are in place | 14 | Q Okay. Thank you. |
| 15 | at any given Sava Operating subsidiary? | 15 | Ma'am, when assuming that a facility |
| 16 | A I there is someone in my office who I | 16 | such as Seneca is cited for a violation of COBRA |
| 17 | can ask for that information. | 17 | regulation, is that something that you're made aware |
| 18 | Q Who would you ask for that information? | 18 | of in your office? |
| 19 | A Lisa Farve in the compliance office. | 19 | A I'm not, no. |
| 20 | Q Now, would she be associated with | 20 | Q Do you know whether or not your boss is |
| 21 | consulting services or administrative services? | 21 | made aware of those any such violation? |
| 22 | A Administrative services. | 22 | A I don't know. |
| 23 | Q Okay. Does the company have a is there | 23 | MR. CONNOR: I'm about to wrap up, folks. |
| 24 | a system-wide intranet computer system for the Sava | 24 | Can we take about a three-minute break so that I |
| 25 | entity? | 25 | can look at my notes and confer with my |
| 1 | Page 63 A There is. | 1 | Page 65 colleague? |
| 1 | A There is. | | |
| 1 2 | O And do you know what time of information | 1 | |
| 2 | Q And do you know what type of information | 2 | MS. PROCTOR: Absolutely. |
| 3 | can be accessed on this system? I'm not asking you | 2 | MS. PROCTOR: Absolutely. MR. OGLETREE: Yes, sir. Mr. Connor, if |
| 3 4 | can be accessed on this system? I'm not asking you for specific information, but just generally the type | 2 3 4 | MS. PROCTOR: Absolutely. MR. OGLETREE: Yes, sir. Mr. Connor, if it's all right with you, can we take about five |
| 3 4 5 | can be accessed on this system? I'm not asking you for specific information, but just generally the type of information that can be accessed? | 2 3 4 5 | MS. PROCTOR: Absolutely. MR. OGLETREE: Yes, sir. Mr. Connor, if it's all right with you, can we take about five minutes, five to ten? We need to run a little |
| 3 4 5 6 | can be accessed on this system? I'm not asking you for specific information, but just generally the type of information that can be accessed? A Yes, and it depends on what you do with | 2 3 4 5 6 | MS. PROCTOR: Absolutely. MR. OGLETREE: Yes, sir. Mr. Connor, if it's all right with you, can we take about five minutes, five to ten? We need to run a little error here. |
| 3 4 5 6 7 | can be accessed on this system? I'm not asking you for specific information, but just generally the type of information that can be accessed? A Yes, and it depends on what you do with the company as to the level of your access on the | 2 3 4 5 6 7 | MS. PROCTOR: Absolutely. MR. OGLETREE: Yes, sir. Mr. Connor, if it's all right with you, can we take about five minutes, five to ten? We need to run a little error here. VIDEOGRAPHER: The time is now 3:28 p.m. |
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| | vv ynn Sims (| /11 1 . | 2/0 // 2012 rages 0009 |
|----------------|---|----------------|--|
| 1 | Page 66 Q How is it that you became aware of that | 1 | Page 68 BY MR. CONNOR: |
| 2 | litigation? | 2 | Q Who would be his assistant that assists |
| 3 | A I don't remember exactly. I think someone | 3 | him in that regard? |
| 4 | at the office mentioned it, and then someone forwarded | 4 | MR. OGLETREE: Objection. |
| 5 | me the most recent decision out of New York, and I | 5 | THE WITNESS: His executive assistant is |
| 6 | read it I think it was posted on Google. That's | 6 | Melita Hobby. |
| 7 | the extent of my familiarity and awareness of the | 7 | BY MR. CONNOR: |
| 8 | matter. | 8 | Q Would you spell her name for me, please? |
| 9 | Q Okay. Are you familiar with any of the | 9 | A M-E-L-I-T-A, H-O-B-B-Y. |
| 10 | documents that were filed or received in evidence in | 10 | Q Thank you. |
| 11 | connection with that litigation? | 11 | Have you ever had occasion to meet Leonard |
| 12 | A No, sir. | 12 | Grunstein? |
| 13 | Q Does your office and by that I mean the | 13 | A I met him one time in January, 2005. |
| 14 | legal office for which you work do you know if it | 14 | Q Have you ever worked with him in any role? |
| 15 | maintained copies of any of the documents that were | 15 | A No. |
| 16 | generated in connection with that litigation? | 16 | Q Have you ever known him to perform |
| 17 | MR. OGLETREE: Object to the form. | 17 | services on behalf of Sava Senior Care, LLC? |
| 18 | THE WITNESS: I believe Stefano Miele and | 18 | A No. |
| 19 | his assistant keep a file or docket or whatever, | 19 | Q Have you ever met or worked with Murray |
| 20 | but I've never seen that or discussed it with | 20 | Forman? |
| 21 | him. | 21 | A I met Murray in January, 2005, also, and I |
| 22 | BY MR. CONNOR: | 22 | believe he was in our office five or six years ago, |
| 23 | Q All right. So you're not directly | 23 | and I saw him walk down the hallway. |
| 24 | involved or related, then, in connection with that | 24 | Q Have you ever performed any services for |
| 25 | litigation? | 25 | him? |
| | | | |
| 1 | Page 67 A No, sir. | 1 | Page 69 A No, I have not. |
| 2 | Q But your understanding is that Mr. Miele | 2 | Q Are you aware that Sava Administrative |
| 3 | has some kind of, at least, connection with in | 3 | Services, LLC has acted in various capacities as agent |
| 4 | terms of at least receiving information? | 4 | or on behalf of SSC Equity Holdings, LLC? |
| 5 | MR. OGLETREE: Objection. | 5 | A No. |
| 6 | BY MR. CONNOR: | 6 | Q Have you ever seen the cost reports, the |
| 7 | Q And who would be his am I correct in | 7 | home office cost reports, that have been generated on |
| 8 | that regard? Is your understanding that Mr. Miele | 8 | behalf of SSC Equity Holdings, LLC? |
| 9 | received some information about that litigation or has | 9 | A No, I have not. |
| 10 | received over the course of time | 10 | Q So you've so have you ever seen have |
| 11 | MR. OGLETREE: Objection. | 11 | you ever seen any documents in which Chris Stenger |
| 12 | BY MR. CONNOR: | 12 | purported to act on behalf of SSC Equity Holdings, |
| 13 | Q some information about it? | 13 | LLC? |
| 14 | A I believe so. I think that either Sava | 14 | A No, sir. |
| 15 | Senior Care, LLC or Sava Senior Care Administrative | 15 | Q Okay. Are you do you have access to |
| 16 | Services, LLC was sued by Mr. Schron and Stefano is | 16 | the Revolving Credit Agreement that is now or in the |
| 17 | the general counsel of both of those companies, so | 17 | past has been in existence with respect to Sava Senior |
| 18 | that's why I think he would be aware of some of the | 18 | Care, LLC? |
| 19 | documents. | 19 | MR. OGLETREE: Objection. |
| 20 | Q Okay. But do you know what kinds of | 20 | THE WITNESS: I do, I have a copy of it. |
| 21 | documents he's received, whether they be pleadings or | 21 | BY MR. CONNOR: |
| 22 | exhibits or anything like that? | 22 | Q And are you familiar with it? Have you |
| ı | | | · |
| 23 | MR. OGLETREE: Objection. | 23 | ever read it? |
| 23 24 | MR. OGLETREE: Objection. THE WITNESS: I'm sorry, yeah, I don't | 23 24 | ever read it? A I have I read it, like proofreading a |
| 23 24 25 | MR. OGLETREE: Objection. THE WITNESS: I'm sorry, yeah, I don't know. | 23 24 25 | A I have I read it, like proofreading a document back in 2005, but I don't understand what's |

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|--|---|--|---|
| 1 | Page 70 in it. | 1 | Page 72 Care, LLC? |
| 2 | Q I understand that. So you read it for | 2 | A I don't know. |
| 3 | grammatical and punctuation and things like that? | 3 | Q Do you know whether any representative of |
| 4 | A Yes, sir. | 4 | Seneca Health and Rehabilitation Center signed that |
| 5 | Q Okay. And in that do you know whether | 5 | document? |
| 6 | or not SS do you know whether or not let me get | 6 | A The President of SSC Seneca Operating |
| 7 | the name right. | 7 | Company, LLC signed the document. |
| 8 | Do you know whether or not SSC Seneca | 8 | Q Okay. And would have signed with the |
| 9 | Operating, LLC is a party to that Revolving Credit | 9 | Seneca being a party to the agreement? |
| 10 | Agreement? | 10 | A Yes, being a borrower under the agreement, |
| 11 | A It is, it's a borrower under the | 11 | yes. |
| 12 | agreement. | 12 | Q And would, likewise, SSC Sumpter East |
| 13 | Q And is it your understanding from your | 13 | Operating Company, LLC have signed on as an obligor |
| 14 | review of that agreement that it's liable for the | 14 | under that agreement? |
| 15 | obligations thereunder? | 15 | A Yes, also as a borrower. |
| 16 | MR. OGLETREE: Objection. | 16 | Q And would Mr. Schrank have signed in his |
| 17 | THE WITNESS: I don't know that. | 17 | representative capacity on behalf of that entity? |
| 18 | BY MR. CONNOR: | 18 | A I don't recall 100 percent if he was the |
| 19 | Q Do you know whether or not its assets are | 19 | President of the those two operating companies in |
| 20 | pledged as security for that agreement? | 20 | 2005. I believe that he was. |
| 21 | A Assets, I believe so. | 21 | Q In any event, would it be your |
| 22 | Q Do you know whether or not it's defined as | 22 | recollection, regardless of who it was that signed it, |
| 23 | an affiliate or identified as an affiliate of Sava | 23 | that the President and CEO of I'm going to use |
| 24 | Senior Care, LLC under that agreement? | 24 | shorthand, Seneca and Sumpter, would have signed in a |
| 25 | A I don't know. | 25 | representative capacity on behalf of the obligors? |
| | | | 1 |
| | | 1 | D |
| 1 | Page 71 Q Do you know whether or not the term, | 1 | Page 73 A Correct, yes. |
| 1 2 | | 1 2 | |
| 1 | Q Do you know whether or not the term, | 1 | A Correct, yes. |
| 2 | Q Do you know whether or not the term, "affiliate" is defined in that agreement? | 2 | A Correct, yes. Q Okay. Are you aware of any other |
| 2 3 | Q Do you know whether or not the term, "affiliate" is defined in that agreement? A I don't recall. | 2 | A Correct, yes. Q Okay. Are you aware of any other contracts that Mr. Grunstein may have signed, apart |
| 2 3 4 | Q Do you know whether or not the term, "affiliate" is defined in that agreement? A I don't recall. Q Do you know whether or not that agreement | 2 3 4 | A Correct, yes. Q Okay. Are you aware of any other contracts that Mr. Grunstein may have signed, apart from that is different from and other than the |
| 2 3 4 5 | Q Do you know whether or not the term, "affiliate" is defined in that agreement? A I don't recall. Q Do you know whether or not that agreement contains requirements for minimum occupancy levels of | 2 3 4 5 | A Correct, yes. Q Okay. Are you aware of any other contracts that Mr. Grunstein may have signed, apart from that is different from and other than the Revolving Credit Agreement |
| 2 3 4 5 6 | Q Do you know whether or not the term, "affiliate" is defined in that agreement? A I don't recall. Q Do you know whether or not that agreement contains requirements for minimum occupancy levels of either the Seneca facility or the facilities that's | 2 3 4 5 6 | A Correct, yes. Q Okay. Are you aware of any other contracts that Mr. Grunstein may have signed, apart from that is different from and other than the Revolving Credit Agreement MR. OGLETREE: Objection I'm sorry. |
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Pages 70..73

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| Page 74 | Page 76 |
| 1 your capacity as Corporate Secretary for any of the 1 Office. Our mail room knows to d | eliver that type of |
| 2 entities that we've talked about? 2 mail to me. | 25 |
| A Ten or 11 times, I think. 3 Q When you open that ma | 11 |
| 4 Q And in how many cases have you filed 4 A Yes. | |
| 5 affidavits 5 Q are you doing that | |
| 6 MR. OGLETREE: Mr. Connor, would you 6 the as an officer or the Corpo | rate Secretary of |
| 7 please repeat the question? The court reporter 7 those entities? | |
| 8 is having trouble hearing the last little part 8 A Yes. | |
| 9 there at the end. 9 Q Were you also asked s | |
| 10 MR. CONNOR: I apologize for that. 10 about the Regional VP, Vice President Presiden | dent and Divisional |
| 11 BY MR. CONNOR: 11 President. | |
| 12 Q How many times, ma'am, would you have 12 A Okay. | |
| 13 signed affidavits in support of Motions to Dismiss For 13 Q I want to clarify wha | |
| 14 Lack of Personal Jurisdiction on behalf of any Sava 14 that we're mentioning. When you | |
| 15 entity? 15 President, Division President of | - |
| 16 A I do not recall a number, more than ten. 16 A Well, there are two d | |
| 17 MR. CONNOR: Okay. I think those are all 17 an East Division and a West Divis | ion. |
| the questions I have. Unless my colleague wants 18 Q Under which company? | |
| 19 to talk? 19 A Under for the SSC of | |
| 20 MR. MULIMAN: I don't have anything, 20 that fall into a designated Easte | |
| 21 thanks. 21 Paul Schrank is the Division Pres | |
| 22 MD CONNOR Obert Molem there are all 22 there CCC Occuption remarks the | t are in a Western |
| 22 MR. CONNOR: Okay. Ma'am, those are all 22 those SSC Operating companies tha | |
| the questions I have. I appreciate, very much, 23 Division, it's just delineated | |
| | |
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Page 78

Sava Senior Care Consulting is Division

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Pages 78..81 Page 80 you. MR. MULLMAN: Thank you, Lori. I don't think we need it. I think we can file it -- I don't think this will be much an issue that we can't agree on, you know. We can file it subsequently. VIDEOGRAPHER: This is the end of Disk Number 1 of the deposition of Wynn Sims. The time is 3:57 p.m., and we are now off the record. Page 81 ERRATA SHEET ____1) There are no changes noted. ___2) The following changes are noted:

2 President, but he is the President of SSC Seneca 2 3 Operating Company, LLC. 3 BY MR. OGLETREE: 4 4 5 5 So is it correct to say, then, he is 6 wearing two hats, right? 6 7 7 Okay. To your knowledge, those are 8 8 independent roles he is playing, his role at the 9 9 facility and his role with the consulting? 10 10 11 Correct. 11 12 MR. CONNOR: Objection, form. 12 (Whereupon the deposition was concluded at 4:00 p.m.) 13 MR. OGLETREE: I have no further 13 14 14 15 MR. CONNOR: Anyone else have questions? 15 16 MS. MILLER: No. 16 17 MS. CULBREATH: No. 17 18 MR. CONNOR: There being none, I have no 18 further questions. And Ben, do you want to 19 19 20 explain reading and signing? 20 21 MR. OGLETREE: You're going to have an 21 22 opportunity to review and sign the transcript. 22 23 There will be a copy made, you'll have a chance 23 24 to review it and make any corrections to it that 24 25 you would deem appropriate, and you will have to 25 1 sign, verifying that that's what you are doing, I do hereby certify that I have read all questions 2 and we will circulate those changes to everyone propounded to me and all answers given by me on the 3 else. 4 7th day of December, 2012, taken before Whitney S. 4 THE WITNESS: Okay. Guynes, and that: 5 MR. OGLETREE: But you have the -- the 6 6 general gist of it is you have the chance to 7 review and make any edits that you want to. 8 THE WITNESS: Okay. Thank you. 8 Pursuant to Rule 30(7) (e) of the Federal Rules of Civil Procedure and/or the Official Code of Georgia Annotated 9-11-30 (e), both of which read in part: Any changes in form or substance which you desire to make shall be entered upon the deposition... with a statement of the reasons given... for making them. 9 MR. CONNOR: And I'm sorry, I couldn't 10 10 hear. Did she elect to read and sign or to 11 11 waive? Accordingly, to assist you in effecting corrections, please use the form below: 12 12 MR. OGLETREE: She'd like to read, please, 13 13 read and sign. 14 Page No. _____ Line No.____ Should read:_ 14 MR. CONNOR: Okay. And then Ray, do you 15 think we need to ask for any kind of expedited 15 And the reason for the change is: 16 16 transcript as it relates to our hearing on Page No. ____ Line No. ___ Should read: 17 17 Monday? 18 And the reason for the change is: 18 MR. MULLMAN: I doubt it will even get Page No. Line No. Should read: 19 there with expedited. I don't think we need it. 19 MR. CONNOR: That's fine, and I didn't 20 And the reason for the change is: 21 21 think so, either, but I'd sure hate to keep our Page No. _____ Line No.____ Should read:_ 22 22 court reporter up. 23 And the reason for the change is: 23 MS. PROCTOR: Just FYI, Ken, the court 24 24 reporter is nodding that she can have it if you 25 need it, but you can't see that, so I'm telling